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**Submission by
Ontario Trucking Association
To the
Select Committee on
Highway Safety -
Legislative Assembly of
Ontario**



**Toronto, Ontario
September 14, 1976**

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All statistics contained herein have been obtained from Statistics Canada and Ontario Ministry of Transportation and Communications, unless noted otherwise.

Mr. Chairman, Honourable Sirs:

First of all, we want to commend the Legislature for the appointment and broad Terms of Reference applicable to your Committee. The entire area of highway safety and practical means to offset injuries and fatalities are of prime significance. The ever-increasing motor vehicle population and use of our highway system cause an inevitable increase in the need to advance the cause of public safety.

The operation of both passenger and commercial vehicles is a highly emotional, subjective behaviour on the part of each driver. There is the natural, human reaction that proper regard for Rules of the Road and cautious driving habits are always "the responsibility of the other guy". The adoption of restraining legislation are effective only to a certain degree. Beyond that point, it becomes increasingly mandatory that such regulation be not only realistic but means and pursuit of enforcement exercised judiciously towards all drivers.

There are highly significant amounts of money channelled through such organizations as the Canada Safety Council, Ontario Safety League, Transportation Safety Association of Ontario, to some extent the various motor clubs, the Roads and Transportation Association of Canada as well as the Provincial and Federal Ministries. One must also recognize various forms of safety education transmitted through our school system. There is no doubt as to a degree of merit in all of this undertaking. It is suggested, however, that there needs to be more practical recognition of basic human factors and receptivity; as well as a greater degree of coordination to achieve the highest possible impact of safety activities operating under these various auspices.

It is of paramount importance that there be a continuing and psychologically effective effort among the younger population, since these are the drivers of tomorrow. The motor vehicle has become an inherent way of life for a very high percentage of our citizens. Similarly, truck transportation of goods is now and will continue to be an essential element in society and commerce.

The need to obtain maximum possible harmonious interface between drivers of commercial and passenger vehicles on our streets and highways is imperative. It is no idle truism that a person becomes a changed individual when operating a motor vehicle; in many instances providing an effective outlet for his or her frustrations, anxieties and problems of the day. It is this complicated, but realistic, set of circumstances that must be given careful consideration when assessing any form of legislative, voluntary or policing aspect to the total subject of highway safety.

In our opinion, there has been far too little genuine investigation with possible means of negation as far as the basic, psychological elements in safe driving

are concerned. Your Committee could render a tremendous service if doing nothing more than recommending the various Ministries and agencies of government to embark on such an effort; channelling the finances and energies of each into a jointly-structured attack in this regard. There is more specific reference to this phase later in our submission.

THE ONTARIO TRUCKING ASSOCIATION

So as to give you a proper perspective on our representation, the following is a framework of our membership: The Ontario Trucking Association was established in 1926, in recognition of the need to obtain coordination and pursuit of common problems related to the use of motor vehicles as an adjunct to the then system of goods transportation. As the industry grew, with consequent enlarging of both transport companies and size of fleets, so did OTA (then identified as The Automotive Transport Association of Ontario). It was only after the Second World War that Ontario's regulated trucking industry began to mushroom. There are now 9,924 carriers licensed under the Public Commercial Vehicles Act. Approximately 85% of the 1974 "for-hire" trucking revenue of Ontario-based carriers was done by our members. They operate 62,654 commercial vehicles and employ 20,709 drivers on regular staff plus those obtained from legitimate driver agencies as the need arises. Our membership includes 80 major operators of private fleets. There is a total of 1,500 carriers plus some 300 Allied Trade members.

A driver employed by a typical for-hire carrier travels approximately 10,000 miles per year in strictly urban, pick-up and delivery operation; compared to at least 85,000 miles for an average highway driver. It is quite important

to realize that the very nature of a regulated carrier is such as to produce an annual total miles driven figure in excess of that applicable to most other operations such as private, farm, etc. This is particularly true in the general freight field, as compared to more specialized classes of public carrier.

The OTA objectives include: "to promote and further the interests of the automotive transport industry; to maintain the rights and privileges of inter-urban commercial truck owners; to promote rational legislation; to undertake and promote publications in the interests of the automotive transport industry; to collect and disseminate information relative to the operation and conduct of the trucking industry; to undertake cooperative advertising on behalf of the industry and to create prestige valuable in dealing with the shipping public".

The Association's activities are carried out by and with a permanent staff responsible to a Board of Directors elected annually. Recognizing the diversity of types of truck transportation and problems peculiar to each, the membership is also identified by Divisions such as: Air Cargo Carriers, Automobile Transporters, Class "C" Carriers, Dump Truck Owners, Heavy Specialized Carriers, Livestock Transporters, Ontario Milk Transport Association, Ontario Movers Association, Refrigerated Trucking Association of Ontario, Ontario Unit Masonry Transporters Association, Private Carriers, Regular Route Common Carriers and Tank Truck Carriers.

There are some 36 Standing Committees and Councils within our structure, devoted to certain functional areas of motor carrier operation. They meet when required and/or on a regular frequency. Those most pertinent to your investigation are

the Canada Labour Code Committee; Council of Safety Supervisors, (now OTA Safety Council); Dangerous Commodities Committee; Engineering Council; Enforcement Committee; Manpower Development and Education Committee and the Operations Council - Ontario. Elaboration on the nature and function of any of these will be provided upon specific request.

It should also be noted that there has been a long, historical, working relationship between OTA and various organizations in the broad field of highway safety. In many instances, either directly or through our membership, we have provided participating input on a working basis. Included are the Canada Safety Council; Roads and Transportation Association of Canada; Ontario Safety League; Ontario Motor League; Motor Vehicle Safety Association; Transportation Safety Association of Ontario; Automotive Fleet Service Superintendents' Association; Ontario Traffic Conference, CTA National Safety Council and CTA National/Provincial Standards Council.

There has been continuing, active relationship between OTA and the various forms of safety activity undertaken by the Ministry of Transportation and Communications. We have also worked assiduously with the Transportation Safety Association of Ontario, which is the "trucking arm" of the Workmen's Compensation Board devoted to the promotion of safety in the regulated trucking industry. We have also had a strong working relationship with various American and Overseas organizations, particularly the American Trucking Association of Washington, D.C. Continuing contact with various State Associations and the other Provincial Associations has kept us abreast of major developments in this entire field.

ACCIDENT DATA

As a matter of record, it should be noted that 77.1% of all vehicle registrations in Canada for 1974 were passenger cars. Similarly, 18% of these were trucks and truck tractors. Passenger cars accounted for 80.8% of the total involvement in accidents as compared to 13.5% for trucks and truck tractors. The percentages for fatalities are 69.6% and 18.4% respectively.

Corresponding data for Ontario only show 83.6% of the registrations being passenger cars and 14.2% commercial vehicles. The percentage of total accident involvement was 83.5% for automobiles and 11.7% for trucks and truck tractors. The fatalities were 73.3% for passenger vehicles and 17.5% commercial vehicles. These percentage ratios have been relatively uniform over recent years, although the number of vehicles has increased appreciably. It should also be noted that there is a reasonable similarity to vehicle population and accident involvement as related to passenger cars; whereas similar percentages for commercial vehicles are appreciably lower. It should also be recognized that, in principle, in no way does our industry have anything but strong endorsement of any measure to counteract injury and fatality on the highway. The foregoing statistics are provided in humility rather than to seek justification.

Although there has been certain effort in recent years on the part of both Provincial and Federal agencies to develop comprehensive and reliable accident data, there needs to be much greater emphasis and facilities on an inter-agency, inter-provincial and provincial/federal basis. We do not favour the assembly of figures merely for the sake of appearances or to justify any such statistic.

Our major intercession is that greater availability of reliable and more current information would provide increased awareness on the part of both government, drivers and the general public. It would also assist in probing nature of accidents and seeking remedies. The foregoing data in greater detail may be found as an appendix to this submission.

There is also need to strengthen the gathering of accident data and analysis related to indicated cause, type of vehicle(s) and other investigation findings. In Ontario, the MTC assembles some information, primarily that of only numbers and general category of vehicle. For example, there is no breakout on straight trucks versus articulated vehicles. Statistics Canada produces some information, but considerably out-of-date. For example, the 1974 figures quoted previously were not available until late May, 1976. The Federal Department of Labour initiated some form of accident reporting several years ago, in exercise of its jurisdiction under the Canada Labour Code. We have yet to see the specific outcome.

Possibility of the Workmen's Compensation Board providing the detailed data in its computers to either a provincial or federal body has been advocated. The response received has been that, since the WCB data cover all types of accident and injury, it would not be useful, even if the Workmen's Compensation Board Act so permitted. As with most business, trucking is plagued by questionnaires of every conceivable kind. Surely priority could be given to an area as important as accident prevention and safety; even though it meant reducing the paper flow on numerous other areas and duplication between federal/provincial as well as two or more government agencies.

SPECIALIZED STUDIES

There has been some qualitative research done in the United States on the stress and fatigue factor in the operation of motor vehicles. Very little is available identified specifically in connection with commercial vehicles, particularly the heavier equipment. However, it is certainly an area that should be commended to your Committee, for exploration with one or more Provincial Ministries as well as counterparts at the federal level.

Also to be considered is the potential contribution by the Insurance Bureau of Canada as applied to commercial vehicles. PL and PD insurance coverage is estimated at 1% of a for-hire carrier's operating cost. The total premium cost for only 59 public carriers in 1974 was \$6,304,000. Related staff cost to handle cargo loss and other insurance matters was \$1,554,000. Yet, it seems that, as far as the insurance companies are concerned, there is justification only for certain limited forms of education and sponsoring activity as applied to passenger cars. It is hoped that an enlightened segment of government, being completely representative of all commercial vehicle owners, could make its identification more pronounced as far as insurance underwriters are concerned. Further, while we recognize that this is primarily a matter between the Insurance Bureau and our industry, your Committee could have more influence as an impartial body.

A very recent initiative taken by our Association is a project being undertaken by the Clarke Institute of Psychiatry in Toronto. The purpose is to develop a profile on "accident-prone factors in driving motor vehicles, including trucks". To our knowledge, this is a pioneer effort, at least in Canada. It is identified

here primarily to again emphasize that any approach to highway safety and accident prevention must come from a realistic concept of the causative factors, rather than merely statistics. It is recommended that your Committee consider stressing the importance of existing and new possibilities, as may be undertaken by the Ministry of Health and Ministry of Transportation and Communications, for example.

AVAILABILITY OF DRIVER RECORDS

Another subject that has been pursued by our Association for several years is the availability of information when a carrier's driver has his license either suspended or cancelled due particularly to charges laid under The Highway Traffic Act. Although many private and for-hire carriers check their drivers periodically as to a valid driving permit, reality imposes a limit on the frequency with which this may be done, particularly in larger fleets. Also, it does not reflect the status of demerit points.

Unless notified by the driver himself, which is seldom done, the fleet owner has no way to obtain current knowledge in this respect. Would you feel comfortable if the pilot of a commercial aircraft may have lost his license?

The Ministry of Transportation and Communications' response to this overture has been that such is impossible due to the detail involved and that making this information available would be in contravention of the driver's civil rights. Even the long-time availability of Driver Abstracts has been curtailed and they are not usually current.

REACHING AND INFLUENCING DRIVERS

In the following observations and recommendations, we have not attempted to relate each to the specific Terms of Reference held by your Committee. However, it is hoped that not only those applicable to our field but additional aspects will be covered. There are so many factors involved in the total subject of "Highway Safety", that any attempt to departmentalize is not realistic.

We also wish to point out that references to certain recommendations and activities of our Association are stated as factual, and only to reflect the concerns of our industry in total as well as individual members.

It is also essential to recognize that, literally, we are speaking on behalf of owners who operate 10.8% of all truck and tractor registrations in Ontario. It must be left to the judgment of your Committee as to the extent to which you identify our observations as reflecting the total commercial vehicle population, at least in principle. With minor exception, OTA is the only major, organized voice of commercial vehicle operation in this province. Certainly, our history is not only longer but the entire area of highway safety has been one of the integral elements in our organization.

It should also be recognized that the very nature of for-hire carriers is such as to make these companies more highly aware of the need for accident prevention measures and highway safety preachment to drivers. In addition to normal regard for the welfare of employees, member liability for loss or damage to often costly

cargo demands concern on a continuing basis. We hope it is also conceded that our historical effort in the encouragement of potentially effective legislation has equivalent justification.

One of the predominant difficulties that should be considered by your Committee is the almost total absence of proper access to the commercial vehicle driver population. The historic issuance of "Chauffeur's licenses", coupled with the enormity of recordkeeping on the part of the Ministry of Transportation and Communications, make it almost impossible to obtain direct access for purposes of reaching and influencing in a positive fashion. Even with our own members, where there is a direct connection with employees, a certain degree of resistance to measures that are being taken for their own protection must be surmounted.

IDENTIFYING DRIVER RESPONSIBILITY

In September, 1973 OTA initiated its first major activity to convey more positive aspects of trucking to government and the public. A major segment of this program was directed to steps that individual members could take with their own employees. To assist in pinpointing this activity, we commissioned a comprehensive study to be done on existing public attitudes towards commercial vehicles, as represented by both motorists and the general public. The entire operation was conducted (i) by an outside agency to eliminate any possibility of conditioning the response.

High priority was given to ways whereby the attitude and conduct of commercial vehicle drivers could be improved in their interface with the motoring public. While some segments related directly to attitude and comprehension of facts,

(i) The Creative Research Group Limited

the inherent purpose was to develop contribution to preservation of highway safety and accident prevention. A set of "In-House Public Relations Guidelines" was developed, based upon the "public dissatisfiers" identified by our research. These guidelines were distributed broadly both to our membership and other operators of commercial vehicles for purposes of internal education and effort to improve driver behaviour. A copy of these "guidelines" accompanies this submission.

There has been an increase in industry developed, driver conduct and responsibility films, particularly over the past two years. All of this effort is based on the principle that one must attack the basic cause or attitude in order to obtain positive remedy. The OTA has several of these in its film library. They are in high demand by members for employee purposes.

Unfortunately, aside from rather limited materials developed by the Transportation Safety Association of Ontario, there is no major effort, either provincially or federally, to develop and encourage the use of preventative materials on an organized basis.

Until recent years, the Ministry of Transportation and Communications had an extensive program of safety workshops and other types of forum dedicated to furthering the cause of accident prevention. However, even then, there was very little attention paid to commercial vehicles as such. Although there are some common denominators between the two types of vehicle operation, it is obvious that the circumstances and driving skills for combination vehicles in particular are much more demanding than in the case of passenger cars. With

Canada's truck and tractor population being about 25% of passenger cars and Ontario's segment approximately 17%, the disparity will be obvious. Such is even more so when one considers the average number of miles driven per commercial vehicle as compared to automobiles.

It is recommended that your Committee consider advocating an investigation of this previous program operated by the Ministry of Transportation and Communications, and the existing functions of its Public Information and Safety Branch. If its function has been curtailed due to current "government restraint", then we suggest that funds be diverted from other government activity that has less direct impact on health and welfare of our citizens. Just as it is not practical for any of our individual members to originate a full scale program of this nature, so is it equally challenging for our Association. We say this particularly in that, as stated before, our members represent only a very small percentage of the total commercial vehicle population and drivers.

A few years ago, MTC established a "package program" of media and literature possibilities designed to reach commercial vehicle drivers and the industry in total. An informal committee comprising representation from numerous agencies and organizations, as well as OTA, participated in the development of this exercise. Unfortunately, only sufficient funds were made available to establish the basic concept. Implementation was left entirely to the financial resources and initiative of various organizations such as OTA. In the absence of government funding, and also the out-of-proportion load to be borne by any one group, this positive, quite far-seeing program was left to gather dust on the shelves at Queen's Park. In fact, it was not too long thereafter that the Ministry's safety activities were revamped and curtailed.

TRANSPORTATION OF DANGEROUS COMMODITIES

Our Association has, for many years, urged both the Provincial and Federal Governments to enact suitable regulations pertaining to the transportation of dangerous commodities by highway. Such have existed with the railways for many years.

Permissive legislation was passed by Ontario in 1958. Through Canadian Trucking Association, since 1972, we have been imploring the Federal Government to legislate suitable safeguards, preferably uniform and in consort with the provinces. Such legislation as now exists pertains primarily to placarding only. It is a jungle of varied requirements as between one province and another; none being of real safeguard as we've been advocating for the past 20 years. A "Secretariat" was established under the Federal Ministry of Transport 2 to 3 years ago. But, other than approval in principle by the provinces, there is still no regulation to protect the public adequately; nor even unscramble such as may now exist (in Ontario, the Gasoline Handling Act is an example), by way of provincial initiative. The 1958 HTA permissive legislation has not been acted upon by the Ontario Ministry of Transportation and Communications. The reason given is that such is already underway at the federal level.

Yet, a complete body of appropriate regulation has existed in the United States since 1935. We have strongly recommended that it be adopted in total, with some modification due to differences between Canada and the United States. While draft framework exists federally, there is no precise knowledge as to if or when it will be acted upon.

Our Tank Truck Carriers' Division in particular has been unusually active, in view of the wide scope of hazardous commodities carried by its members. Where placarding does exist, there is complete lack of uniformity between the provinces. Also, some of the placarding requirements single out less dangerous commodities and fail to include those of greater public safety implication. Our Division has convened meetings over the years with organizations such as the Chemical Manufacturers Association, Ontario Petroleum Association, Grocery Products Manufacturers Association of Canada and other shipper groups. To the fullest extent possible, we have established a sound base and receptivity for preventative legislation and adherence. The result is only to be completely stalled and frustrated by government.

Quite possibly, there will be representation to you identifying the lack of such regulation as being a hazard to the public and, indirectly, a criticism of our industry. You are assured that we have a common front in not only supporting requirements such as may now exist, but stressing the need for more complete regulation as well as stronger enforcement among all categories of carrier.

"VACATIONER'S ASSISTANCE" PROGRAM

Prior reference has been made to our March, 1974 commissioned study among Ontario motorists in 15 of Ontario's largest cities. It disclosed that a very high percentage of the adult driver population owns or has operated a trailer, camper or motor home at one time or another. Even though it was generally known that there had been a significant increase in the use of such type of vacation vehicle, this very high percentage came as quite a surprise. Many motorists are aware of the degree to which these often oversized recreational vehicles impede orderly traffic flow, particularly on single lane portions of the highway system.

Trucking highway drivers have regularly complained to their management that the operation of these vehicles was hazardous and created a dangerous situation of uncertainty as to what the motorist would do. Also, from an engineering viewpoint, it was obvious to our industry that many of these vehicles did not have proper hitch provision. Also, drivers of such combination vehicles should have special training, to a certain degree similar to that given to drivers in our industry. There is no legislative hindrance to a person using any sort of passenger vehicle to haul an unlimited weight or size vehicle. Specifications for hitch or coupler provision are not covered by regulation, although such is now the case for strictly commercial vehicles. We strongly recommend that current statutes in this first respect be amended as rapidly as possible.

As a matter of public service and also recognizing the hazard to life and limb, we investigated the possibility of offering specialized training to the motoring public; possibly using driver trainers drawn from our member companies. While there was a certain amount of literature distributed by such organizations as the Ontario Safety League, Ontario Motor League and Ministry of Transportation and Communications, we believed that seriousness of the situation demands more direct action such as a special training facility.

We subsequently approached various organizations, including OSL, OML and MTC, to have at least preliminary discussion that could lead to a practical, joint development. Contact was also made with the Travel Trailer Clubs Association of Ontario, comprising 30 clubs and 2,700 members. OSL has undertaken to develop the course material. Members of our Council of Safety Supervisors and the TSA Council of Driver Trainers are making their services available to provide the actual training. A "pilot course" will be held later this year; followed by a regular schedule based upon initial experience.

However, as with other difficulty in identifying drivers as detailed elsewhere in this submission, one of our major hurdles is obtaining a proper list of individuals who own and operate this sort of vehicle. In view of the very significant increase in usage and portion of the driving public, your Committee is urged to recommend increased involvement by the Ministry of Transportation and Communications as part of its educational role with the motoring public. Also, that effort be made to so adapt the vehicle licensing record system as to be able to identify the registered owners of such equipment.

As a long term project, it would be of practical value to institute some form of reasonable testing and certification procedure before a motorist is permitted to take charge of such a potentially hazardous operation. Such would be not only in the interest of the users themselves, but also the general motoring public as well as trucking.

We believe that the "Classified Driver Licensing System" under contemplation for several years may call for licensing such drivers in the same category as automobiles, small trucks or combinations up to 18,000 lbs, provided the towed vehicle is not over 10,000 lbs. There is no indication that the actual driving capability will be other than the standard for all motorists. We submit that this is not adequate protection for the public. Also, even then, it will be many years before adoption of the new system will be in full application. There needs to be not only more consideration of some form of special testing and licensing for drivers of recreational vehicles, but an interim measure to control such operations.

We are unable to identify any data breakout showing the frequency or even existence of this type of vehicle as far as involvement in accidents is concerned.

At the Annual General Meeting of the Ontario Traffic Conference held May 28, 1975, the following resolution was approved: "whereas car and trailer campers are on the increase in Ontario, and whereas a large number of drivers that are not familiar in pulling this type of vehicle, and whereas trailer hitches, chains, air pressure in tires, lights are all important safety factors, not sometimes properly installed. Be it resolved that the Ontario Traffic Conference request the Province of Ontario to consider courtesy check points for safety inspections through the summer months". Since members of this organization are drawn from policing authorities and other officials throughout the province, substance of its recommendation deserves serious consideration and certainly supports at least the principle of our concern in the case of recreational vehicles and drivers.

THE CONCEPT OF "PUBLIC RESPONSIBILITY"

In an address to the School Bus Operators Association of Ontario, July 5, 1976, the Hon. James W. Snow, Minister of Transportation and Communications, stated what we believe to be a highly significant premise. Its application is equally valid as pertaining to not only school buses, but other references in our submission in relation to such things as the Classified Driver Licensing System; need for fleet owners to be made aware of driver misbehaviour and considerably

more reliable and direct means to reach drivers holding permits to operate commercial vehicles. His remarks included the following:

"We at MTC have prepared a submission to the Ontario Cabinet suggesting measures that could be put into practice to improve school bus transportation. One of our main recommendations involves a closer examination of the school bus driver's driving record, as well as his or her moral character.

"For example, if a driver is considered a poor risk to take the family for a Sunday drive, is that same driver not then an equally poor risk to transport children daily on a school bus? Would the refusal to grant a school bus driver's license or the withdrawal of one for cause, be considered a penalty -- or something necessary to protect the children of this province who ride in school buses?

"In accepting a license, a driver must be prepared to accept full responsibility for his or her total driving behaviour. He or she must not only be able to drive safely, regardless of the kind of vehicle driven, he or she must also want to drive safely.

"A driver who shows the ability to drive well in one situation, but in another situation drives without heed for the safety of others, can't expect to be given unusual consideration. To do that would discriminate against other road users.

"Recent research conducted by the University of Toronto clearly indicates that the merit points are a reliable predictor of future accident involvement and future driving behaviour. With these findings in mind, my Ministry is considering a program based on this reasoning. We are thinking in terms of proposing that an applicant for a school bus license would be refused, when that person's driving record shows more than six demerit points. Also, a license would be withdrawn from the holder if that person's driving record showed an accumulation of at least nine demerit points.

"Another area in which we are taking a hard look concerns any applicant who has had a license suspension within the past year resulting from a driving offense under The Highway Traffic Act; or under the Criminal Code of Canada within the past five years. That kind of applicant will be denied a license to drive a school bus. We would also propose withdrawing a license from any one convicted of two or more motor vehicle related offenses under the Criminal Code of Canada within the past five years".

We recognize that there are unusual circumstances applicable to a school bus driver as compared to that of a tractor-trailer combination. For-hire members of the regulated trucking industry in Ontario, as well as responsible private carriers, do have built-in policies and procedures to assess applicants for driver positions and also maintain a continuing observation of their driving performance. However, a very high percentage of commercial vehicle drivers in Ontario do not come under the even limited control of such a restraining

procedure. Under our present system of licensing, the only body capable of making such close identification is the Ministry of Transportation and Communications.

The basic thread of our position is that the mere ownership or leasing of a commercial vehicle (or passenger car, for that matter), does not entitle any individual or company to do other than place maximum priority on demand to have it operated in the public domain under circumstances and skill that provide maximum protection for the public in every possible respect, including normal courtesy on the highway.

Rapid increases in vehicle population and miles travelled will make it increasingly exxential to achieve a proper mix between all vehicles and road performance. Some of this can be achieved by legislation. The real value of such regulation rests primarily in stringent enforcement, without fear or favour, and continuing, strong methods to "educate" all drivers as to their responsibility under every circumstance.

DRIVER TRAINING

One of the major achievements of our Association has been in the area of commercial vehicle driver training. In late 1965, we initiated the first industry sponsored, full length, both theory and behind-the-wheel commercial vehicle facility in Canada. The pilot course utilized driver trainers and equipment donated by OTA member companies. Its instigation was based largely on the fact that increasing technological development of equipment and growth of the industry itself would soon make it impossible to rely solely on obtaining new drivers from miscellaneous sources; most of whom did not have the proper training. While some of our member companies have driver training and safety departments within their own operations, it is not feasible for them to have more than a final screening of applicants and subsequent driver control procedures.

The increasing degree to which combination vehicles were replacing straight trucks, particularly on the highway, made it essential to upgrade then existing straight truck drivers to handle the more complicated and heavier equipment. We were also most fortunate to obtain support from the Federal Department of Manpower and Immigration, as well as the Ontario Department of Education.

Properly screened students were enrolled and the basic training or upgrading in the case of present employees was done at a reasonable cost.

It should be noted that, at no time, was any effort made to confine the training or enlist the graduates for the exclusive betterment of OTA members. The philosophy then, which still retains, is that such effort must be directed to improving the quality of the total commercial vehicle driver work force, be it common carrier, private carrier or in some other type of vehicle operation.

Due to certain changes in the federal/provincial training system, the Toronto Board of Education assumed complete authority in the operation of this facility in 1966. When a further change was made in the academic structure, this training responsibility was assumed by George Brown College of Applied Arts and Technology in 1969, under whom it still operates. An Advisory Committee comprising representatives from OTA, unions, insurance companies and related agencies continues to work with the College in establishing new course curricula and to generally monitor development of the training to recognize changes in demand. Registrations in both straight truck and tractor-trailer training have been excellent and on a year-round basis. In addition, special evening courses are given for drivers, Driver Trainers and related subjects such as lift truck.

Records of this school show that over 8,300 students have been graduated in both straight truck and tractor-trailer driving since 1969. There has been almost immediate employment in all instances, whether by regulated or private carriers and public utilities such as Hydro, Bell Telephone, etc.

The facility now owns a modern fleet of five straight trucks and ten tractor-trailer combinations, both gasoline and diesel, with up to 13 speed transmissions. The staff consists of seven full time instructors and a supervisor, with additional driver trainers participating on a part-time basis to handle peaks in demand. In all instances, the approach has been to provide a thorough classroom grounding in Rules of the Road, St. John's Ambulance training, various legislation under which drivers operate and other specialized areas.

At least 80% of the time is spent in "behind-the-wheel" training, both on the campus itself and under actual traffic conditions. Each student receives personal attention from an instructor. The straight truck training has a duration of three weeks, with tractor-trailer being four and six, depending on individual requirement. Each student is assessed when applying, and also must pass a rigid theory as well as practical examination prior to receiving his certificate.

Since its beginning in 1966, similar training facility has been established in most of the other provinces; utilizing the OTA experience as a foundation. It is important to note that the complete curriculum is based upon realistic requirement as derived from the collective experience of professional driver trainers working in our industry. Although driver wage levels have increased appreciably in recent years, so that this employment is now on a par with most professional vocations, the primary difficulty is to obtain the proper calibre of individual to be so trained. While there is some reliance on "driver pools" for emergency situations, the industry maintains a stable, year-round complement of experienced drivers.

There is only one other continuing commercial vehicle driver training facility in Ontario. This is a private enterprise. It commenced early in 1971, initially as a direct off-shoot of a United States training service. Because it is a private company, we do not deem it appropriate to comment further at the present time. Although there is evidence that it is still operating, at a relatively high enrollment fee, we have no direct knowledge as to the duration, content or quality of its training.

Aside from the foregoing two instances, there has been sporadic effort to establish such training in Ontario. Advent of the "Classified Driver Licensing System" has sparked a certain degree of interest among both entrepreneurs and Community Colleges. One of the major difficulties is that, to be effective in providing trainees with sufficient basic training, there is considerable capital investment required by way of engaging capable instructors, providing classroom and other facilities as well as a fairly wide range of equipment. Such a dedication of manpower and capital must be justified in terms of a continuing enrollment and entry of graduates to the work force.

Attainment of these objectives is also governed to a large degree by steady flow of registrants and realism of immediate employment in a certain region of the province. On one hand, the training is highly specialized; therefore not to be evaluated in the same terms as a counterpart school providing passenger car instruction. The degree of expertise and facility creates an automatic hindrance, except under an extended, long term period of amortization. It is inherent to the occupation that very few private or public carriers are in a position to engage drivers full time unless there is a continuing demand for

their services. In the case of the for-hire carrier in particular, the operation of his vehicles must be related directly to service demand at any given period of time.

When the possibility of Ontario having some form of "Classified Driver Licensing System" by what appeared to be the reasonable future, our Association became more greatly concerned in the resultant need for an enlarged, continuing commercial vehicle training facility, not only in the Metropolitan Toronto area but elsewhere throughout the Province. Our consideration was directed to both the establishing of such training through academic agencies and the need for soundly structured training as offered by the private sector.

We knew that there had been significant proliferation of private truck driving schools throughout the United States. In many instances, the record of performance and ethical treatment extended to the public were of serious concern to American Trucking Associations to the point that an active investigation was initiated throughout that country. We were wary of similar, improper situation developing here in Ontario.

In May of 1969, we initiated informal discussion with the Private Trade Schools Section, Applied Arts and Technology Branch, Ontario Department of Education. The outcome over a period of time was that, once the occupation of commercial vehicle driver was classified, then no school could operate without being registered. It must adhere to regulations under The Trade Schools Regulation Act.

At the Annual Meeting of our Association held November 21, 1972, a resolution was passed requesting the Minister of Colleges and Universities (this legislation had since been transferred from Department of Education), to amend The Trade Schools Regulation Act so that the occupation of driving tractor-trailer combination and straight truck vehicles be classified as a trade, and that commercial vehicle driving schools be licensed before providing such training. Copy of that resolution is included with this submission. Our intercession was then transmitted officially to the Ministry. We were advised that discussions in this regard would be underway with the Ministry of Transportation and Communications. An initial meeting comprising representation from both Ministries, existing operators of training schools, members of pertinent unions and our Association was held February 19, 1974. This followed a preliminary discussion held January 9th involving only the two Ministries and our Association.

Over the better part of 1974, numerous meetings were held comprising representatives from the Ministries, then existing private and community college training facilities, pertinent unions, other agencies and our Association. Detailed framework was established, applicable to period of training, course content, responsibility of instruction, ethical operation and standards for student graduation. This then came under regulation commencing January 1, 1975, under The Private Vocational Schools Act, 1974. Although this then had realistic application to the two existing continuing training facilities, postponement of implementing the "Classified Driving Licensing System" has delayed the anticipated growth in new training facilities operated by both the private and academic sectors.

In addition to its general interest to your Committee, the foregoing outline has been documented to demonstrate what can be accomplished when both government and industry collaborate in a practical way. Also, the existence of such a regulatory mechanism to become operative when the establishing of new training outlets becomes evident is reassuring to us and, hopefully, to you.

Terms of Reference for your Committee include "the licensing of driving schools". We presume that your major attention under this reference is intended to be in relation to instruction for passenger car driving. Any comment by us in this specific regard would be presumptuous. However, we are concerned in the context that improvement in driver capability when operating all types of motor vehicle plays a significant role in the total effort to improve highway safety and obtain orderly as well as capable vehicle movement on our streets and highways.

It may be of interest to you to know that, recognizing this principle some 10 years ago, we endeavoured to convene a meeting of then existing passenger car schools in Metro Toronto. Purpose was to encourage the establishing of basic operating criteria, code of ethics, etc. The first meeting was held, but further effort abandoned because we found that, even though our Association provided a "neutral" meeting place, there was little hope of obtaining unanimity. It is encouraging to note that the "Driver School Association of Ontario" was formed recently to foster adherence to a proper code of ethics and training procedures.

In case the following information has not come to your attention through other sources, it has been included for assistance to you. On May 20, 1976 an organizational meeting convened primarily at the instigation of the Ontario

Insurance Agents' and Brokers' Association was held to at least investigate the possibility of mandatory driver education as a requirement for the licensing of new drivers in Ontario. In addition to ourselves, representatives from the Ontario Association of Chiefs of Police, Ontario Safety League, Insurance Bureau of Canada, Young Drivers of Canada and the Consumers Association of Canada (Ontario), were present. A second meeting was held June 24, 1976. The following is extracted from Minutes of the first meeting:

"The general idea of such a program would be to ideally increase the minimum driving age to 18; that all new drivers in Ontario would have to take a standardized, mandatory driver education course to be run in the private sector by qualified driving instruction schools; the course to include skid control, the testing of drivers to be continued by the Ministry of Transportation and Communications with the testing to be upgraded to match the course of instruction, a general tightening of the enforcement and demerit point system would cover the habitual offender".

The "Young Drivers of Canada" offers driver training courses, approved and registered by the Ontario Safety League. Its office is located at 1262 Don Mills Road, Suite 32, Don Mills, Ontario (416) 449-5480. Instigator on behalf of the Insurance Agents and Brokers Association is Mr. Greg Bohaker, 112 Simcoe Street North, Oshawa, Ontario (416) 725-7157. We understand that unofficial blessing has been given to this undertaking, by the Deputy Minister, Ministry of Transportation and Communications. However, as with OTA, it is probable that a certain degree of "wait and see" philosophy retains. Obviously, implementation of the basic

objective would have a definite bearing on existing training, licensing and other factors. Its progress is at least worthy of attention.

Again for purposes of information, we have included a copy of a major article in the "Globe & Mail" issue of April 8, 1976 on driving schools in Metro Toronto. As noted previously, we maintain a neutral position in this total area since the major thrust is outside of our direct jurisdiction.

EXPANSION OF PRACTICAL SAFETY TRAINING

An extremely significant phase of common carrier operation in Ontario is activity of the Workmen's Compensation Board, coupled with the role of the Transportation Safety Association of Ontario. Rate 656 in Class 20 is comprised of all businesses in the provision of transportation service, with obvious emphasis on drivers. In 1973, total WCB assessment for the Rate 656 group was \$10.3 Million on a provisional payroll of \$316.6 Million; in 1974, payment totalled \$13.1 Million with a payroll of \$371.5 Million; in 1975, these amounts (i) were \$14.1 Million on \$423.3 Million provisional payroll. The 1976 estimated figures are \$18.1 Million payment on \$458 Million provisional payroll. The 1976 cost per driver in the regulated trucking industry was \$3.95 per \$100 payroll (maximum of \$593). It will be at least \$4.40 in 1977, or \$660 per driver.

Total accident costs incurred by Rate 656 in 1973 were approximately \$8.9 Million; in 1974 \$11.9 Million and in 1975 \$14.3 Million. You will note that this entire Compensation Benefit was 86.4% of total assessment in 1973; 90.8% in 1974 and 101.4% in 1975. The WCB assessment, in terms of revenue, represented 1.6% in 1975. It will thus be obvious that this represents a highly significant cost

(i) Add data in this section were provided by WCB or TSA.

factor in regulated carrier operations where after tax earnings average only 3% of revenue. In that context, the desire of our industry to make practical advances in highway safety and accident prevention is both that of concern for employee welfare, public responsibility and the hard facts of dollars and cents.

Our industry in Ontario is at least as fortunate as that in all other provincial jurisdictions through having a well organized and operated agency in the Transportation Safety Association of Ontario. With a staff of 26 persons, including 13 field representatives, TSA has made a major contribution to the total area of injury and accident prevention since 1942. As with driver training and certain other aspects of our industry identified elsewhere in this submission, it is only a few larger companies that are able to sustain an internal structure to conduct employee safety and accident prevention programs.

Only 35 members of OTA operated fleets in excess of 100 vehicles for 1975. Approximately 72% of OTA members have 10 vehicles or less. Were it not for the trained personnel, continuing program and assistance provided by TSA, it is most unlikely that the vast majority of regulated carriers would find it even remotely feasible to establish and operate such an embracive program on a continuing basis.

The entire operation of TSA is financed by a direct grant, the amount of which is provided by WCB directly out of the total assessment upon our industry. In 1973, the TSA Operating Budget was \$458,728 or 4.5% of the total assessment on Rate Group 656. This was \$513,034 or 3.9% in 1974 and \$603,562 or 4.3% in 1975.

There is some duplication of cost represented by the fact that the larger carriers not only contribute substantially to the revenue of WCB (and thus TSA), but also have the overhead cost of their own safety or driver control activity. However, in terms of the vast majority of trucking concerns, their direct cost provides access to safety activities that would be prohibitive otherwise.

It should also be noted that, in recent years, TSA has been able to obtain analyses of accident and injury sources that have contributed appreciably to management's ability to pinpoint and try to remedy specific causes. We regard this fact finding activity to be not only most commendable but urge the adoption of any additional means whereby such profiles can be made available in a practical fashion.

To illustrate the value of such information, the following are extracted from the Accident Cause Analysis in Rate 656. It should be noted that these figures include accident and injury while in the terminal as well as on the road.

	<u>1973</u>	<u>1974</u>	<u>1975</u>
Slips and Falls	2,231	2,151	1,796
Falling Objects	584	437	438
Handling Materials	2,536	2,719	2,728
Motor Vehicles	323	394	358
Other	540	756	364

Elsewhere in this submission, we have identified the significance and major difficulty in trying to obtain not only identification but means to reach the vast majority of commercial vehicle drivers in Ontario. Therefore, every possibility of achieving this, even though it may be in segments, should be pursued diligently and much more strenuously than in the past or at present. The 1975 commercial vehicle registrations in Ontario totalled 582,992. Of these, 62,654 or 10.8% were operated by inter-city, regulated carriers. Latest available statistics show that 60% are operated in private inter-urban and urban operations with 34% being farm vehicles.

It is obvious that driver employment is much greater in the case of private carriers. As with regulated carriers, there is a segment of private carriers operating larger fleets and in a position to maintain in-house safety education and driver control programs. Where such do exist, they are most commendable. However, in many instances, there is no provision of any sort of external program related specifically to driver employees. Safety material and activity available from their agencies of WCB is primarily of a general employee safety nature. Yet, these driver employees are doing the same job, primarily, as with the public carrier. If there is any difference, it would be only in some degree of lower exposure to mishap while working in the terminal. To all intents and purpose, the risk factor applicable to the public as well as the drivers themselves is identical.

There are eight "Accident Prevention Associations" within WCB, in addition to TSA itself. In 1972, the total expense of these eight organizations was \$6.4 Million; \$7 Million in 1973; \$8.2 Million in 1974 and \$10 Million in 1975.

While there is a degree of driver orientation in some instances, the tendency is to approach truck drivers along with all employees and in the context of industrial application. This fails to recognize that the commercial vehicle driver has singular characteristics, injury and accident exposure as well as a considerably higher degree of operating relationship to the public.

The 1975 WCB Assessment Rate for 656 was \$3.95 per \$100 payroll. Corresponding rates and total assessment in two typical private carrier businesses were: Retail Trade (other than food) - 50¢ or \$10,396,000 and Petroleum Products (manufacturing and distribution) - 70¢ or \$1,725,000. If the ratio of TSA annual operating cost to total assessment on Rate Group 656 for 1975 (4.3%) is used as a yardstick applicable to only these two rate groups combined, it would amount to \$521,203. The infinitely larger number of individual companies would mean proportionately less burden on each. This would be even more the case if commercial vehicle drivers were segregated for WCB assessment purposes.

In January, 1973, a Task Force was appointed by the Minister of Labour to inquire (i) into all aspects of administration in the Workmen's Compensation Board. It is important to realize that the 1973 Investigation was related much more directly to the structure of operation than was the 1963 Royal Commission on the Workmen's Compensation Act. The latter was primarily related to possible legislative change. The following are extract portions from the 1973 Report, bearing only upon the specific matter now under submission to you:

"An Occupational Accident Safety Education Program has existed in Ontario for many years. It has always had two major characteristics. First it has had a strong voluntary orientation with the employer

(i) "Task Force Workmen's Compensation Board" - August, 1973. Chairman: A.R. Aird; Members: R. Johnston and M. Starr.

having final responsibility for the program. Second, education has been separated from enforcement, the latter being primarily the responsibility of other branches of government.

"The Safety Education Program is delivered through Safety Associations, under the direction of representative employers. Until 1964, the WCB acted solely as a Collection Agency, transferring funds levied from the employers to the various Associations. In 1965, following some discussion about the possibility of forming a separate Safety Commission, the WCB set up a Safety Department to allocate funds to the Associations and coordinate budgets; to coordinate the development of safety programs in industry; and to develop new programs for areas outside the individual concern of any one Association. A Director of Safety was appointed reporting to the Chairman.

"It is our view that the current relationship of the Safety Associations with other areas of the WCB is as distant as it was in 1964. The close relationship envisaged at that time has simply not occurred. In fact, we were disturbed to note the occasional presence of overt hostility. Coordination of budgets has been notable by its absence, the role of the WCB (outside the Safety Association) in coordinating safety programs in industry has been undiscernible and only two instances of the Safety Department's involvement in programs outside the individual concern of any one association have come to our attention.

"Figure 16 indicates the changes in expenditure levels over a six year period by the Associations and the differing amounts committed to accident prevention by the Associations as a percentage of assessment.

"Are the amounts committed to accident prevention by the various Associations relatively consistent? We have been unable to find any evaluation criteria or control information which would assist in determining safety education program effectiveness. We appreciate the difficulties involved in attempting to coordinate the activities of voluntary Associations, representing many disparate interests. These difficulties in our opinion can be satisfactorily resolved through a participative policy planning process, introduction of collegial management practices and an improved information system.

"We foresee trends developing in the safety education field which will bring occupational and other safety programs closer together. In the short to medium term, effective coordination and direction of the overall Occupational Safety Education Program within a revised WCB management framework is a prime objective.

"We recommend that Safety Associations remain within the jurisdiction of the WCB at this time but that management and organization changes be made involving: the abolition of the Safety Department; the establishment of a Council of Safety Associations, shared by a senior WCB manager and comprising representatives from each Association, other WCB management and senior officials of the Ministry of Labour; emphasis by the Council of Safety Associations on developing coordinated policies and practices relative to occupational safety in Ontario.

"The production of accident statistics is important to the work of the Safety Associations. This information provides an indication of their effectiveness and identifies areas in which accident prevention efforts should be concentrated in the future. Currently, the statistics which are produced are: Compensation rather than accident oriented - being a by-product of compensation case reports; late, due to processing procedural problems; non-standard, not being reported in accordance with any universal classification system.

"REPEATED REQUESTS HAVE BEEN MADE BY THE ASSOCIATIONS FOR CORRECTION OF THESE PROBLEMS AND HAVE MET WITH NO SUCCESS. WE BELIEVE THESE DEFICIENCIES TO BE SERIOUS AND WE RECOMMEND THAT: STATISTICAL SERVICES TO THE SAFETY ASSOCIATIONS AND TO OTHERS CONCERNED IN THIS FIELD BE UPGRADED WITHOUT DELAY AND THAT THE STATISTICS CANADA CLASSIFICATION SYSTEM BE IMPLEMENTED AT THE EARLIEST POSSIBLE DATE".

The main reason that we have included somewhat lengthy comment and recommendations by the 1973 Task Force is the fundamental nature of these observations. They are not only important in themselves, but get right to the heart of a government agency's potential role in the purpose of your Committee's investigation.

Returning now to the substance of OTA's submission, to our knowledge, and with minor exception, there has been virtually no genuine implementation related to the observations and recommendations of this 1973 Task Force. On February 4, 1975, the President of our Association wrote to the Chairman of the Workmen's Compensation Board requesting the opportunity to appoint an official

representative to a Joint Consultative Committee then under consideration. The Chairman replied on February 6th, the following being extracted: "While we have developed tentative terms of reference for such a Committee, we have not yet reached the point where consideration is being given to its representation. I have arranged for your letter to be held with those received from other interested parties and I will be in touch with you again when conclusions have been reached". Although the possibility of our industry providing such specialized viewpoint and expertise has been registered again from time to time through informal discussion with WCB officials, as of this date, there is absolutely no indication as to whether or not we shall ever have such an opportunity. Nor are we at all confident that there is any appreciable input to WCB on the specialized nature of motor vehicle operation with its prime importance in the field of safety.

Even though for-hire carrier WCB payments amounted to \$14.1 Million dollars in 1975 (a sizable portion of operating costs), of infinitely greater importance is both the direct and indirect influence on safety and accident prevention as represented uniquely by regulated trucking companies. At the risk of appearing cynical, we make the observation that, apparently, the philosophy of WCB is to perpetuate dismissal of our unique role in favour of more traditional concepts.

There are 80 members in our Private Carriers' Division. For the most part, these are major fleet operating companies such as department stores, the petroleum industry, automotive manufacturing and other forms of business with a high ratio of commercial vehicle operation. On numerous occasions throughout

the year, the OTA staff is requested by members of this Division for assistance in either the establishing or strengthening of safety education and driver control programs.

Because of the thorough and long-standing role of TSA in the safety area of regulated carriers, the majority of our activity in this regard has been related directly to an alliance with the safety agency being financed by our own members. Any other approach would mean not only waste of money but dilution of that agency's capability.

Until recently, we were in a position to suggest that these private carrier members seek assistance from TSA. Even though they were not subscribing as members of Rate 656, we considered that benefit for the companies and resultant contribution to the total cause of safety and accident prevention warranted this slight degree of diversion from TSA's official operating framework. However, in recent months, TSA has found it impossible to assist these private carriers.

Provided as a supplement to this submission is a copy of an "Occupational Information Monograph - Truck and Transport Driver", as published by Faculty of Education, University of Toronto, in conjunction with our Association. It is hoped that this will enhance your background on the speciality of drivers in our industry.

"INTENTIONALLY BLANK"

REPORTING ON DRIVER BEHAVIOUR

A continuing activity since 1956 has been the "Cooperative Road Safety Patrol" operated by the OTA Council of Safety Supervisors. This is a completely confidential source of advice to vehicle owners related to both the good and bad driving habits of their drivers in specific situations. It is a voluntary service, with these reports going directly from the OTA office to senior management in the company concerned. Follow-up is left completely to the company's discretion. The observations are made by experienced individuals, with built-in assurance that the resultant reports are completely objective.

For the year ending December 31, 1975, for example, there were 41 members of the Patrol who made a total of 461 observation reports. The number of violations was 659 and 97 "good driving" observations. The summary of major violations was "exceeding legal speed limit" - 246; "followed too closely" - 87; "too fast for conditions" - 81; and the remaining 245 reports spread over 23 different violations, as may be noted from the sample report form filed with this submission.

For the six months January to June, 1976, there were 33 Observers, submitting a total of 745 reports. The number of violations totals 743, with 249 being "good driving" reports. "Exceeding legal speed limit" total 360; "followed too closely" - 108; and "too fast for conditions" being 78. The remaining 197 were fairly evenly divided over the remaining types of violation.

(i) OTA records.

The fact that 327 or 49.9% of the violations in 1975 were related to either exceeding the speed limit or "too fast for conditions" has special importance. The same figure for the first six months of this year was 438 or 58.8%. The speed limits on all highways were lowered, effective February 2, 1976.

Although there is a certain obvious weighting by virtue of such infractions being more noticeable to trained observers, we believe it provides a valid profile on all commercial vehicles being operated on the highways. Further reference to the speed limit and enforcement is made elsewhere in this submission.

In addition to holding regular meetings to discuss various aspects of problems in the safety and supervision of drivers, members of the Council continuously exchange views and seek resolution of specific situations through interchange of experience. Also, in addition to serving in an advisory capacity to the OTA Board of Directors, the Council provides expertise on various aspects of existing or intended legislation, at the request of government. Our national organization has a similar body for this purpose.

It is also significant that representatives from the Ministry of Transportation and Communications attend and support Council activities on a continuing, although unofficial basis. Such serves as excellent liaison, with provision of input from both government and the industry.

UNIFORM REGULATION

No submission such as this would be complete without making specific reference to the increasing need for uniform regulation across Canada in such areas as

speed, sizes and weights, highway traffic acts or equivalent regulation, the posting of signs and regulation on the transportation of dangerous commodities. The National/Provincial Standard Council of our federal body was instituted some five years ago and is providing considerable cohesion of approach, at least as far as the industry is concerned.

CTA has consistently made major submissions to the Canadian Conference of Motor Transport Authorities at least annually, and often at other times with respect to specific matters either referred to them by CCMTA or deemed appropriate for submission to that body. Undoubtedly CTA's written submission to be filed with you later will expand on this activity.

Just as transportation in its broadest sense has spanned the world, so have the various provincial jurisdictions become greatly aligned to each other. The growth in inter-provincial trucking, for example, has increased significantly in the last five years. Further expansion is a certainty. It can also be assumed that inter-provincial travel by passenger car has similarly increased, thus making the need for uniform driver control and identification such as highway signs of increasing importance.

One of the difficulties with CCMTA, despite its virtues, is that actual implementation of any common approach or decision must be taken back to his own jurisdiction by the individual member. It then must go into the rather prolonged stream of consideration, evaluation and necessary implementing procedures peculiar to that province.

We suggest to your Committee that thought be given to recommending some means of closer interchange between the provinces in all legislative and other types of activity relative to highway safety and accident prevention. The entire cause is of such extreme significance that there must be thrust to go beyond theory and philosophy; into the practical world of realistic investigation and adoption. To this end, the customary preservation of individual provincial prerogatives should be waived in favour of adopting every possible means to achieve enforceable measures that could reduce injury and accident on the highways.

SPEED AND SAFETY BELTS

The position of our Association on speed limits and use of seat belts is probably one of the least understood but highly important subjects in relation to your investigation. It should also be noted that herein lies one of the greatest areas in which foolhardy operation of the many thousands of commercial vehicles beyond control of our membership serves to blacken more responsible operators as far as the media and general public are concerned. It can be said without equivocation that the for-hire and more responsible private carriers hold the safety of employees to be a prime consideration. In neither instance are drivers encouraged, let alone allowed, to drive at excessive speeds and to operate under a schedule that demands any form of irresponsible behaviour.

When government intention to increase the 60 mph speed limit to 70 mph on controlled access highways in 1967 became known, without prior knowledge by our Association, we immediately launched official disapproval and proceeded to establish effective intervention. Our position was, and still is, that the posting of signs has real meaning only when enforced rigidly for all vehicles. We had no right to interfere with whatever became applicable to passenger car drivers. In principle, however, we took the position that any such increase would serve only to encourage higher speed of total traffic as each driver tried to outstrip the other. The job enforcement would thus become even more difficult.

Although the 60 mph was retained for trucks at our behest, in succeeding years our entire membership passed resolutions seeking increased enforcement by all policing authorities as far as speed and other infractions of The Highway Traffic Act were concerned. Meanwhile, as detailed elsewhere, we initiated continuing intercession with our member companies to conduct internal activity that would encourage voluntary observance.

Here again, however, efforts by our members in no way encompass the majority of commercial vehicle operations. Such can be exercised only by government and made effective by diligent enforcement. For many years, our discussions with senior police authorities resulted in very little other than the observation that it was physically impossible for them to achieve the degree of enforcement that we requested. To whatever extent your Committee is in a position to make recommendation regarding the examination of "government restraint" programs, may we urge you to intercede on the basis that funds for such policing must be given priority consideration.

There are numerous schools of thought concerning the relationship between speed and highway accident involvement. It is our contention that the numerical speed itself is not the primary consideration. It is conceded, however, that the rate of speed on the part of any motor vehicle will influence the probable severity of the outcome. On the other hand, it is the uncertainty and confusion caused by variations in traffic flow that present the major source of erratic behaviour and consequent accident.

The introduction of prohibition against trucks using the passing lane of certain expressway sections was supported by OTA as being at least one means to obtain

freer movement on the part of motorists. On the other hand, whether a small passenger car or a tractor-trailer combination, travel speed appreciably lower than related traffic can create very serious situations that are both frustrating and potential cause of accidents. As mentioned previously, it is human frailty to become overly vexed when being confronted by a restraint while on the road. This creates an emotional reaction of almost reckless proportions, for which there is virtually no remedy. Action that may contribute to such alleviation should be taken wherever and however possible.

You will recall that the posted speed limit on all freeways and King's highways was reduced, effective February 2, 1976. That of 70 mph on provincial freeways was dropped to 60 mph; those of 60 and 55 mph came down to 50 mph for all vehicles. The only exception was freeways then signed at 60 mph, which remained the same. A press release issued at that time says, in part, "Ontario Provincial Police will enforce the regulation lowering the speed limit as part of their normal enforcement procedures", said Rolland Devereux, Assistant Commissioner of the Traffic Division. "We will continue to apply enforcement in areas of

high collision experience primarily, in an effort to reduce the severity ratio of accidents", he said.

Our Association provided immediate endorsement of this action and, once again, called for stronger and more universal enforcement. Our view at that time, and still is, that the mere action of posting any speed limit sign is virtually meaningless unless enforced adequately.

It is conceded that many commercial vehicle drivers are no less guilty than motorists as far as proper observance is concerned. It is also realized that, to the general public, there is no difference between one truck driver operating in a reckless fashion and that employed by one of our member companies. Even if it were possible for our members to reach Utopia as far as all of their drivers are concerned, there would still be close to 90% of all commercial vehicles being operated by persons outside of our sphere of influence.

Whether applied to passenger cars or commercial vehicles, a factor equally as important as numerical speed is that of maintaining a steady traffic flow on the part of all vehicles, under any situation. The rhythm of this movement becomes out of joint as soon as one or more drivers try to exceed the existing traffic pattern. A chain reaction is created, wherein all drivers involved in a certain situation feel compelled to increase speed so as to maintain a certain physical location on the highway. When such happens, it is obvious that the enforcement problem becomes intensified. Most importantly, the frequency and severity of accident involvement enlarge. Practical resolution of this enigma will require appreciable consideration and realistic evaluation. It is by no

means an easy challenge. The necessity of everyone working together to achieve this goal is paramount.

Finally, in a submission to the U.S. Department of Transportation Hearing on Motor Vehicle Occupant Crash Protection held in Washington, D.C. August 3, 1976, the Hon. James W. Snow said that: "We also lowered our speed limits in January. However, there has been no significant difference in operating speeds. We are confident, therefore, that our increased belt use is the major cause of these reductions", (fatalities and injuries during the first six months of 1976). This latter reference is made only to again sustain the emphasis we place on every possible effort to obtain stronger enforcement.

Effective January 1, 1976, Ontario became the first major North American jurisdiction to enact mandatory seat belt legislation. Again quoting Mr. Snow: "During February and March (1976), there were 992 convictions and seat belt usage rose from 17% to 77% immediately following the legislation. By this June (1976), usage was still over 65%. For the first six months of 1976, as compared with the same months in 1975, there were 66 fewer vehicle occupants killed and 6,765 less drivers and passengers injured. This represents a decrease of 12.9% in fatalities and 18.4% in injuries, in spite of the fact, that vehicle registration in Ontario has increased by 6 1/2% since 1971".

As with the public, there was a fairly high degree of resistance on the part of commercial vehicle operators, including our own members. Experience since that time has been general acceptance of the requirement. Once again, whenever possible, we subscribe to virtually any measure that provides a realistic possibility of improvement in the highway safety situation.

"FOUR-WAY" FLASHERS

Another specific item to which we draw your attention is the use of "four-way flashers" as installed on both passenger cars and commercial vehicles. In 1971, our Council of Safety Supervisors noted that there was no provision in The Highway Traffic Act stipulating when such flashers should or should not be used, and what such use denotes. Another important consideration was that such signalling devices have been standard installation on most vehicles for many years. Being readily available, the driver is then left free to determine when to use them and his own personal interpretation of what they should mean to other drivers. This form of communication between vehicles is obviously indecisive and potentially dangerous.

When discussing this informally with officials of the then Department of Transport, there appeared to be almost similar confusion as to the meaning and use. A random sample among our members came up with equal difference in understanding and employment. We inquired from the Senior Safety Engineer of the American Trucking Association in Washington, D.C., and the following are some extracts from his response:

"Here in the States, four-way flashers are now a well established fact of life. The Motor Carrier Safety Regulations have required them on commercial vehicles in inter-state commerce since 1961, including a provision for retrofitting them to vehicles in service. Since 1968, they have been required on all new trucks, cars, and buses sold in this country under the Federal Motor Vehicle Safety Standards promulgated by the Department of Transportation.

"We feel that the four-way flasher is a useful device, although it has presented problems. There have been differences of opinion over the proper use. The Bureau of Motor Carrier Safety contends that they should not be used except when a vehicle is stopped. There are others who favour their use on vehicles moving significantly slower than the general flow of traffic. The New York Thruway requires their use on trucks moving less than 40 mph. There is also a thought, that has merit, that they should be used under conditions of reduced visibility such as fog or heavy rain or snow".

Subsequent investigation by our Safety Supervisors provided the group reaction that 'most of our member companies have experienced one or more accidents involving a fast-moving vehicle, driving into the back of their slow-moving vehicle. Many of these accidents could be avoided by using four-way flashers as an indicator of slow speed in faster moving traffic".

In May 1975, the Ministry of Transportation and Communications initiated an experimental program of placing signs at the start of grades advising truck drivers to use their four-way flashers. The signs were posted at three locations on Highway 400 and selected grades on Highways 401 and 403. In its press release at that time, the Ministry said: "The flashers would serve as an advance warning to motorists following in the same lane that they are approaching a slow moving vehicle. This would give them time to reduce speed and be prepared for lane change, thus reducing the possibility of rear-end collisions or motorists being caught in a build-up of traffic behind the truck". At the Ministry's request, members of our Council personally checked and obtained response from their drivers concerning this experiment. It was endorsed, and we believe there is intention to extend the signing.

Still to be assessed and acted upon is the complete area of designating "official" use and interpretation of meaning, as applied to both passenger cars and commercial vehicles. For example, if their use is officially designated as when a large vehicle is climbing selected high gradients, then this should be

made known and all other use prohibited. In such event, it is presumed that the use would be applied to all vehicles and identifying "slow moving" throughout the highway system.

This subject has added relevance to night or low visibility conditions. For example, when a vehicle is parked even temporarily on the shoulder of a highway, with flashers operating, it may designate that as the proper travel lane and "slow moving" rather than stationary.

One could be inclined to dismiss this matter as being of minor, or even of no importance. When searching every possible way to obtain accident prevention, there is no such thing as lack of significance in any respect.

DESIGN AND RAMP SPEEDS

At the Annual Meeting of our Association held November 25, 1974, a resolution was passed that the Ministry of Transportation and Communications be requested again, as it was in January 1972, to have the design of existing ramps in all parts of the Province assessed and modified and that such criteria be made applicable to any new ramp construction. The resolution went further to say "be it further resolved that all existing posted ramp speeds be assessed and revised when necessary, based on safe travel speeds for commercial vehicles as well as passenger cars or that a speed differential be posted applicable to passenger cars as compared to recreational and commercial vehicles.

We also advocated: "That advisory signs identifying such ramps and their posted speed limit be erected an appreciable distance from the entrance to such ramps, especially so as to enable drivers not familiar with the route to reduce speed well in advance of entering and to make them more alert to the slower speed as well as possible accumulation of other vehicles".

While this potential hazard to all vehicles had concerned us for some time, there were several very serious instances involving both commercial vehicles and passenger cars that caused our renewal of concern as just identified.

This matter was first raised with Hon. Charles S. MacNaughton, then Minister of Transportation and Communications, under date of January 26, 1972. The President of our Association at that time had a report from the OTA Council of Safety Supervisors on this subject, related specifically to the assessment of a Coroners Jury Report which added further significance to the topic.

This communication was answered by the Hon. Gordon Carton Q.C., who had just been appointed the new Minister, to the effect that a preliminary investigation had been started to ascertain the extent or nature of the problem. "This consists of retrieval of the pertinent accident data and also a review of our theoretical approach to ramp design. This work should be completed by the end of the month and we will contact you at that time to discuss what further steps should be taken. We appreciate the interest and work which your Association has always given to traffic safety".

Under date of November 6, 1973, our President wrote to the Minister again, pointing out that there had not been further response, nor output of the investigation, since first raised in January 1972. The Minister replied under date of December 24, 1973 as follows:

"This is in reply to your letter of November 6, 1973 referring to the posting of advisory speeds and the design of expressway interchange ramps. I wish to apologize for not keeping you informed of our activities following my letter of February 9, 1972. Since that time we have undertaken an extensive investigation of the problem and we wish to report our findings.

"It soon became evident from ramp accident data that nine ramps on Highway 401 in the Metro Toronto Area had a large percentage of the total number of truck accidents. Radar speed checks at these ramps indicated that 47% of all trucks were travelling at a speed greater than the posted advisory ramp speed. This varied from 9% to 94% for individual ramps. The speed data is for dry pavement conditions. Two ramps were rechecked under wet pavement conditions and it was found that 24% of the trucks were still exceeding the posted ramp speed. This is a serious disregard of the posted ramp speeds by the drivers of trucks. This observation is confirmed from an examination of the police reports where it is indicated that in 79% of the accidents involving tractor-trailers, the apparent driver action was 'speed too fast'.

"As a result of these findings it was evident that a driver education program was needed. Mr. Tom Mahony, our Transportation Safety Administrator, has been quite active in this area through meetings with your Council of Safety Supervisors. He has been stressing the need to slow down on interchange ramps. Presumably your organization has followed this up through personal contact with the drivers. It should be made clear to these drivers that advisory speeds are posted for ideal pavement conditions and that speeds should be reduced even further on wet, snow-covered, or icy pavement. Also, these advisory speeds are obtained by tests made with cars rather than trucks or, specifically, tractor-trailers. The tremendous variation in the types of trucks and the loads that they carry would make it impractical to post separate advisory speeds for trucks.

"Although poor driver behaviour appears to be the main cause of the problem, we realize that ramp conditions can change as time goes on and as part of a continuing programme of monitoring ramp conditions, the posted ramp speed at one location has been reduced by 5 miles per hour. Since early 1972, we have also grooved one ramp and over-size ramp speed signs have been installed at two locations.

"Update of accident data indicates that our combined efforts are having good results. The number of accidents involving tractor-trailer units at all nine ramp locations has decreased from an average of 25 per year to 15 per year. Possibly our current

Safety Campaign on the Hazards of Wet Pavement will also show results in this area. By encouraging everyone to slow down under unfavourable pavement conditions, it will certainly reinforce our efforts to reduce operating speeds on ramps.

"I trust that the above information will bring you up to date on our activities and that it will permit your organization to make continuing contributions towards solving the problem".

Our November 25, 1974 resolution on this subject was discussed with Hon. John R. Rhodes and his senior officials on February 3, 1975. This resulted in the following letter from Mr. J.B. Wilkes, Executive Director, Design Division, Ministry of Transportation and Communications dated February 28, 1975. Several portions are included here primarily because data are supplied that may not be available through normal MTC sources.

"This is in response to the resolution passed by your Association concerning the design of interchange ramps and the posting of advisory ramp speeds. This resolution was presented to this Ministry at the February 3rd, 1975 meeting of your executive with the Minister.

"In the past, this Ministry has investigated the problem of truck collisions on freeway interchange ramps and in 1973 we completed an investigation of this problem. This was originally initiated on the basis of a letter dated January 26, 1972 from Mr. H.G. Nickel of your Association. The results of this investigation were related to

Mr. M.W. Donnelly of your Association in a letter dated December 18, 1973 from Gordon Carton our previous Minister.

"At the present time we stand by findings as outlined in that letter. The cause of truck collisions on ramps is due in most cases to excessive speed caused by poor driver behaviour. Radar speed checks indicate that 47% of all trucks are travelling at a speed greater than the posted advisory ramp speed under dry pavement conditions and 24% of all trucks are travelling at a speed greater than the posted advisory speed under wet pavement conditions. Also, police collision reports indicate that the apparent driver behaviour in 79% of the collisions involving tractor-trailers is 'speed too fast'. We believe that the major effort in reducing the number of truck collisions on ramps must be on your part through the education of your drivers as to the meaning of advisory ramp speed signs.

"At the present time this Ministry is continually monitoring the operation of interchange ramps. In the past we have installed over-sized advisory ramp speed signs, we have grooved ramps and we have reduced advisory speeds as conditions have warranted. We have not posted advisory ramp speeds for trucks because safe speeds for trucks vary greatly depending on the size and types of vehicle. Also, our previous investigation has shown that 78% of tractor-trailer collisions occurred under wet, snow-covered, or icy road surface conditions which require slower speeds of operation than are required under ideal conditions. Advisory speed signs are posted for dry pavement conditions.

"The resolution passed by your Association also raises the question of adequate warning before freeway ramps. The Ministry's present policy is to erect at least two signs identifying all freeway exits. Usually one sign is placed where the gore is four feet wide and another sign is placed approximately 1200 feet in advance of the exit on urban freeways and 1/2 mile in advance on rural freeways. This is in addition to the hazard marker located on the bullnose of the ramp and the ramp advisory speed sign. At significant interchanges there is usually at least partial lighting at the decision points. All other exit ramps are delineated by the use of diamond shape markers. At present we believe that these measures should be adequate to provide proper guidance and warning at freeway exits.

"We believe that the design and control of freeway interchange ramps is of high standard in Ontario nonetheless we are continually evaluating new control devices. Generally we look to these devices as having specific application for particularly problematic locations. At the present time we are investigating the use of a new device which detects vehicle speeds and flashes a warning to the driver when the speed of his vehicle is excessive.

"In the meantime, I must reiterate the need for the training of vehicle operators as to the proper means of operation on freeway interchange ramps".

During the course of the foregoing activity, we obtained considerable technical data from American sources which sustained our concern. This was also made available to the Ministry.

The rather lengthy inclusion of material relative to this particular subject has been done for several reasons, the major ones being:

- a) The documentation provides some excellent data that could be of special interest to your Committee.
- b) It is something of a "classic" example of the value and need for industry input to government, based on actual, experienced situations.
- c) The reiteration of excessive speed factors as identified by the Ministry is further support to other observations in this submission.
- d) The somewhat defensive posture assumed by MTC officials is quite unnecessary. It reaches a singularly important core of the Association's function; which has never been that of trying to attack the bureaucracy. We do believe that an aggressive concern must be prevalent in upholding our responsibility to members and, most importantly, the general public.
- e) It again reflects a continuing problem of our members actually being responsible for only about 10% of the commercial vehicles, coupled with complete inability to reach the remaining operations let alone exercise

any degree of "control" or even moral persuasion. While we are always prepared to work closely with officials in this respect, it must be obvious that the practicality of doing so rests completely upon the interest and capability of government.

f) We have not had any further response from the Ministry in relation to specific steps taken with existing ramps and the device referred to by Mr. Wilkes in his February 28, 1975 letter. Of even greater importance is whether or not these factors have been taken into consideration in the reconstruction of existing ramp facilities as well as new ones.

Above all, we believe that this case history typifies what will be an increasing need for all agencies and organizations related directly or indirectly to the field of highway safety to try to isolate specific elements in the total spectrum of vehicle operation. In due course, we believe that such an approach will become much more productive than rather bland appeals from a philosophical viewpoint; prevalent in this field at the present time. Should your Committee wish to carry the concept forward into actual recommendations, we believe that the result of your valuable investigation will be enhanced considerably.

VEHICLE REGISTRATION AND TITLE SYSTEM

Your Committee's Terms of Reference include: "an assessment of benefits of a vehicle registration and title system". As you are undoubtedly aware, the development of such an approach has been under investigation for several years. Latterly, representatives of our Association have attended meetings in the

United States, primarily on behalf of our national organization. At a 1974 meeting of the CTA National/Provincial Standards Council, held in Toronto, the "International Registration Plan" as put forth by AAMVA became an important project of evaluation. The Council has continued this assessment, as well as a 1975 recommendation to the Canadian Conference of Motor Transport Authorities that the possibility of enacting a Canadian system be examined.

The CTA policy, briefly, is that there should be first attention to establishing a domestic system embracing all Canadian jurisdictions. Following that, more practical assessment could be made on merging the Canadian with the American system.

The CCMTA then approached the Transportation Development Agency; which, in turn, requested the Roads and Transportation Association of Canada to initiate a complete study on licensing reciprocity in Canada. The major obstacle would be the lack of uniformity on methods of vehicle registration, as currently existing in various Canadian jurisdictions. We believe that the RTAC study is progressing, with Mr. Robin Summerley of MTC as Chairman of the appropriate subcommittee.

Perhaps the following extract of comments by two senior officials in our industry, in response to a request for personal reaction, will be useful:

"the goal of a single plate for all jurisdictions is very attractive and we wish to encourage the AAMVA project. In our evaluation of the plan, we should develop how each member carrier will compute his

mileage, in each jurisdiction, particularly in the early stages, before most states or provinces have entered their agreement; viz - if Ontario is a member and Quebec is not? Some carriers do not have very accurate mileage records, and trailers would be more of a problem than power units.

"I attended the meeting of the ANSI-D19 Committee of AAMVA in Washington, D.C. in April 1972. My personal impression is that it will be a real achievement if a joint registration plan providing for reasonable jurisdictional revenue apportionment can be achieved, in the face of the ingrained unwillingness of any level of government civil service to compromise or to give up anything when it comes to tax revenues".

A concise description of the two possibilities is, firstly, relative to the International Registration Plan in which 15 States, plus the Province of Alberta, have joined. Another eight States are expected to do likewise in 1977. The idea is that a trucker applies for registration in his homebase State and declares the States he plans to operate through for the year. If he operated in them the previous year, he computes the percentage travel in each. If not, he estimates the travel he expects to perform in each in the registration year. Adjustments to the estimates are made at the end of the year.

The Home State Registration Authority computes the portions of the registration fee due to each participating IRP State, and collects the total from the

trucker, doling out the shares to the other States. A registration certificate is then issued, listing the States in which the vehicle is authorized to operate.

The second possibility is the International Registration Information System. Through a computer bank, records of the IRP State fee schedules, mileage factors used for apportioning the fees and money due the States; all available to any participating State by dialing into the system. It is envisioned that large trucking and bus companies would join eventually. So, they would apply for registration directly and get approval from the States by computer.

In addition to supporting the concept itself, both our Association and that of our federal body concur with this approach in principle. Such is particularly so in that it would be part of a total effort to obtain uniformity in regulation as applied to all Canadian jurisdictions. As noted, the IRP has been in effect in Alberta for slightly over one year. If your Committee wishes more detailed information on the Alberta experience to date, we shall be happy to provide it through contact with the Alberta Trucking Association.

Your reference is also drawn to evidence provided by Mr. H.J. Aiken, Executive Director, Transportation Regulations Office, Ministry of Transportation and Communications on July 12, 1976 to your Committee, with specific reference to "Certificate of Title".

We also refer to concerns expressed by Mr. Aiken on June 24th to the Select Committee on Highway Transportation of Goods. This referred to Terms of

Reference No. 4: "The registration of commercial vehicle ownership under The Highway Traffic Act of Commercial Vehicles used in highway transportation services". We can do no better than reiterate the position of our Association as submitted to that Committee as follows:

"We are aware of and agree with the concern of the Ministry expressed to you by Mr. Aiken on 24 June last and support his suggestion that your committee establish some method such as the certificate of title system to which he alluded to ensure that the beneficial owner of a commercial vehicle can be identified with certainty.

"We would simply add that if, as we later suggest, any person engaged in short term leasing of commercial motor vehicles is brought under the provisions of the PCV Act subject to overview by the Ontario Highway Transport Board and liable to cancellation or suspension of his leasing license for contravention of the PCV Act as are the PCV licensees, that The Highway Traffic Act should be amended to prohibit transfer of commercial vehicle registrations more than once each 90 days. This would prevent the use of the device of registration on a day by day basis which we see as an alternative to which those intent on avoiding the provisions of the PCV Act can turn when effective measures are implemented to control the illegal lease arrangements under which they now operate. We say this because it is a simple matter to register on a daily basis, no sales tax is exigible if the registration is made

for vehicle licensing purposes only and the beneficial ownership does not change and the fee for such registration is only \$2.00¹¹.

We believe that this subject should remain a matter of concern to your Committee; with any specific recommendations being deferred until results of the RTAC reciprocity study are available.

REAR BUMPER PROTECTION

Another development underway between the Ministry of Transportation and Communications and our Association is the matter of underride protection on commercial vehicles having platforms and bodies extending beyond their rear axles to the extent that they may present a hazard to smaller automobiles, in rear end collisions. No doubt some members of the Committee have seen newspaper photos of a small Volkswagen, for example, rather firmly embedded underneath the rear of a tractor-trailer or even the familiar "tilt-and-load" disposal unit. Since the rear vehicle is usually considered to be at fault in the case of a collision, we feel confident that this is particularly true in at least the majority of instances involving commercial vehicles. In any event, since our primary interest is protection of the motoring public, it is not a case of who may or may not be at fault.

In April of this year, the Ministry of Transportation and Communications sought our opinion on a possible regulation similar to that in the United States and applicable to motor vehicles operating under ICC authority.

Our response embraced the fact that most van trailers are now equipped, although the real efficacy of the guard under a severe impact is somewhat doubtful. Since most van bodies are engineered in the United States, and come to Canadian fleets so equipped, it would be necessary for carriers to incur a fairly high cost in retrofit strengthening the ICC bumper design. Removable dolly configurations could be extremely difficult to fit with appropriate devices. Many single axle dump trucks do not meet the proposed criteria. A potentially acceptable bumper for "tilt-and-load" vehicles was developed about two years ago, following study by our industry and MTC. But, initial testing is disclosing some operational problems.

Vehicles with tuck-away tailgate loaders would be very difficult to adapt to operate with the proposed bumper device. On the other hand, a regulation might be worded so as to approve tailgates that formed an effective bumper in their retracted positions. Present regulation on rear end protection for hazardous commodity carriers appear to be adequate.

Generally speaking, the great diversity of truck and trailer bodies in use would make it difficult to establish a workable set of minimum bumper criteria. In addition, the technical problems of retrofitting older vehicles would suggest that any regulation should apply to new vehicles only. The latter, as you may know, is regulated at the federal level and applies to the point of manufacture. While the federal approach would be desirable from an economic and practical point of view, implementation would require considerable dialogue between the

Federal Ministries involved and truck manufacturers. We do not believe that authority of this nature lies with any provincial jurisdiction.

The situation at present is that we are on record with the Ministry as wanting to continue close collaboration in the pursuit of a sensible resolvement that will provide proper public protection. There is reasonable underride protection already in a high percentage of commercial vehicles. Also, the enactment of any such regulation, be it provincial or federal, would be more sensible if adopted on a phasing-in basis as older equipment is discarded.

CLASSIFIED DRIVER LICENSING

As far back as 1967, the OTA Council of Safety Supervisors made representation to what was then the Department of Transport, and had discussions with its senior officials, in an effort to assert the immediate need for discarding the existing "Chauffeur's License" system. We advocated substitution of one that would identify the capability of the driver to operate various types of vehicles, including tractor-trailer and tanker combinations.

The so-called "Chauffeur's License" had been issued for many years; the only requirement being that such be identified when applying for a new license and being able to pass the passenger car driving test. In that year, 1967, there were 370,783 trucks and tractors registered in Ontario; increasing to 582,992 in 1975.

The response at that time, and for the following two years, was that any consideration of changing from the existing system would be completely impossible due to the large number of such chauffeur permits, public resistance to any "conversion" and the cost of such a changeover being completely prohibitive.

On January 5, 1970, OTA representatives met with officials of Ontario Department of Transport "to conduct exploratory talks regarding a classified license system". A recommended system of driver classifications and medical requirements was approved at the 1970 Conference of Ministers. On February 8, 1971, a further meeting was held with Ministry officials to refine the prior standards, especially in relation to the implementing mechanism. On June 30, 1971, the CCMTA agreed to the basic concept of a classified driver licensing system; to be recommended to each of the provinces for merging with their present systems and implementation of appropriate legislation.

A further meeting was held with Ontario officials on September 25, 1973. There was complete agreement as to the proposed approach, with further registration of the need for urgency. In December, 1973 amendments to The Highway Traffic Act were approved by the Legislature. It was expected to take at least one year from the time the legislation was proclaimed to accomplish necessary conversion to the new system. In actuality, the implementing date has been announced and put off several times. Today, we understand that the new target for commencement is January 1, 1977.

At our Association's Annual Meeting held November 21, 1972, there was unanimous approval of a resolution regarding classified driver licensing. In effect, this took the subject beyond the scope of our Council and became a policy admonition on the part of our entire membership. The following is text of that resolution. Included as well are two other resolutions identified as "Speed and Courtesy on the Highway" and "Driver Responsibility", which refer directly to other parts of this submission. However, we are including them verbatim as part of the text, rather than appendix, since they provide the essence of some very fundamental policy issues.

"CLASSIFIED DRIVER LICENSING

"WHEREAS the present system of issuing chauffeurs' licenses in Ontario has no relationship to ability of the holder to operate commercial vehicles;

"AND WHEREAS specific skills and standards of medical fitness have been demonstrated to be effective in the safe operation of commercial motor vehicles;

"AND WHEREAS there is significant increase in number of serious accident involvements by drivers of commercial vehicles not under the control of regulated carriers or responsible private fleets;

"AND WHEREAS this Association is participating in active initiatives sponsored by the Ontario Ministry of Transportation and Communications

regarding greater observance of "Rules of the Road" by all commercial motor vehicle drivers;

"BE IT THEREFORE RESOLVED THAT the Ontario Ministry of Transportation and Communications be requested to expedite adoption of the Classified Driver Licensing System as ratified on June 20, 1971 by the Canadian Conference of Motor Transport Authorities and now being introduced in some provinces.

"SPEED AND COURTESY ON THE HIGHWAY

"WHEREAS the regulated trucking industry is highly cognizant of public attitude and need for safe operation;

"AND WHEREAS a very high proportion of commercial vehicle drivers are owner-drivers or are in the employ of companies other than for-hire carriers;

"AND WHEREAS the Minister of Transportation and Communications has publicly expressed alarm over excessive speed and courtesy on the part of commercial vehicle drivers;

"AND WHEREAS this Association rigidly sought retention of the 60 mph speed limit for commercial vehicles;

"BE IT THEREFORE RESOLVED THAT the Minister of Justice and the Attorney General be requested to instruct the Ontario Provincial Police to increase its effort to enforce provisions of The Highway Traffic Act as applied to drivers of all commercial vehicles;

"AND BE IT FURTHER RESOLVED THAT administration of the Courts be modified in such manner as to provide greater expedition in the prosecution of charges laid by enforcement officials specifically in relation to provisions of The Highway Traffic Act.

"DRIVER RESPONSIBILITY

"WHEREAS the primary objective of The Highway Traffic Act is the safety of all highway users;

"AND WHEREAS it is patently impossible for owners of commercial vehicles to exercise constant supervision over the operation of each of their vehicles on the highway;

"AND WHEREAS the safety of operation of such vehicles is solely under the control of the driver;

"BE IT THEREFORE RESOLVED that the Minister of Justice and the Attorney-General be requested to instruct all authorities charged with enforcement of The Highway Traffic Act to recognize the personal responsibility

"of the driver for the safe operation of the vehicle entrusted to his control when laying charges for violation of the provisions of this legislation".

Accompanying this Submission is a copy of our "position paper" on the classified driver licensing system, as issued July 9, 1974. Your special attention is drawn to our belief that the envisioned Class "A" license does not adequately recognize the skill required to drive vehicles of different weights and combinations. We strongly urge that the new licensing system distinguish driver capability in operating double hook-up combinations as compared to conventional tractor-trailers.

We point out that this distinction should be made at the time the system is introduced. It could be achieved by either establishing a new licensing category for such double hook-up combinations, or by providing a separate endorsement on the Class "A" license. We also observe that any provision allowing drivers under 21 at the time the system is introduced to qualify for a Class "A" license be contingent on proven experience in driving the class of vehicle for which he is applying.

Be assured that the foregoing admonition was not in any way intended to impede implementation of the system. Quite the contrary. Whatever was done at this stage would probably exist for a great many years to come, if not forever. Therefore, from a practical trucking industry (and licensing procedure), viewpoint,

we believe this qualification to be essential. Such is also valid in view of the increasing sophistication and prevalence of heavier equipment. However, our official and unofficial intercessions to the Ministry of Transportation and Communications have been rejected completely.

At this point in time, there is no ironclad implementing date. We understand that regulations have existed in draft form for at least three years. The substance of these, and possible progression to enactment, have not been revealed.

In 1967, when our effort to obtain such a system commenced, there were 370,783 trucks and truck tractors registered in Ontario. In 1975 these had risen to 582,992; or an increase of 52.2%.

According to most reliable information available, in 1967 there was a total of 3,400,654 Operators and Chauffeurs licenses in existence. As at June 30, 1976, there were a total of 4,237,876 or an increase of 24.6%. Of these, 1,362,987 are Chauffeur's licenses issued to males; 73,312 to females, 215,642 being related to various other special vehicles such as school busses and the remainder standard Driver's licenses. This means at least 2.46 Chauffeur's licenses for every truck and truck tractor registered. We are aware of at least one female truck driver operating in Ontario.

For point of reference, in 1967, Section 1 (1) 2 defines a "chauffeur" as meaning any person who operates a motor vehicle and receives compensation therefore;

under SS17, "operator" means any person other than a chauffeur who operates a motor vehicle on a highway. The definition is identical today. However, The Highway Traffic Act has been amended by the addition of a "driver means a person who drives a motor vehicle on a highway".

Your reaction may well be that: "the OTA has made appreciable progress since 10 years ago when it was told that the possibility of ever having a graded licensing system was completely impossible, both financially and implementation". Today, it has at least reasonable possibility of materializing. To some extent, we agree with you. However, as an industry and Association pledged to do our part in fulfilling responsibility to the public and our employees, it is very difficult to just sit back and either blame it on the government or be complacent when such an important principle is involved.

There are many reasons why we welcome the appointment of the Select Committee on Highway Safety. Similarly, we hope that you accept our sincerity and effort to provide information and points of view that will be useful to you in digesting all of the presentations and reaching your recommendations to the Legislature.

As far as the "Classified Driver Licensing System" is concerned, regardless of our conviction and enthusiasm when first advocating that such be introduced, we have surrendered to the inevitability of legislative tedium. Ontario can be justly proud of its leadership, not only in Canada but United States as well, in several areas of forward thinking as applied to highway construction and advances

in the field of transportation. We are hopeful that your recommendations will include that of Ontario at least following the leadership of some other provinces where the classified license system has been operating for some time.

LOAD SECURITY

Going back many years, there has been provision in The Highway Traffic Act with respect to a vehicle carrying a load "that overhangs the rear and that the load be firmly bound, secured, etc., in such a manner that no portion may become dislodged or fall from the vehicle or trailer". This is identified as section 68 (1) and (2) in The Highway Traffic Act RSO, 1970, amended to August, 1975. The provision has been traditionally thought of primarily in the context of tarping such as with aggregates or materials that may be spread by motion of the vehicle, wind, etc. Proper tarping of dump trucks has been a concern of our Association for some time, and there is progress in this regard.

However, need for providing standard, minimum guidelines for the proper securing of steel coils, girders, wrought iron pipe, etc., became more apparent. The main difficulty in developing regulations and applying this provision of the HTA was the absence of common practice in the industry and criteria for enforcement. There were also instances, particularly in the United States, when a load such as this became dislodged and, through motion of the vehicle, broke through and into the driver's portion, either injuring or killing him.

In 1966, the Transportation Safety Association and Ontario Trucking Association (then ATA of Ontario), launched an effort to obtain all possible information and expertise for the development of appropriate as well as acceptable practices. While there were some data available from various sources, there did not appear to be any consolidation of information or existing legislation to comprise a proper pattern.

Since the adoption of such protective standards had to be mutual between shippers and carriers, whether moving by private or public fleet, an Ad-Hoc Committee was formed including TSA and OTA, but also representative from the major steel companies, pertinent manufacturers, etc., to achieve a totally representative outcome.

In July, 1967, recommended specifications came into being by way of a manual identified as: "Guide to Safety - In Load Security for Safe and Efficient Operation". A copy of that manual is included with the Appendix. It provides detail on the many types of load and situations involved.

It soon became obvious that there was considerable interest in these guidelines being adopted voluntarily, as standard procedure. The manual has been printed several times since then, and, even now, is being revised to include additional situations that have come to light. There was also heavy demand for the procedure from United States carriers and government. It became the basis of subsequent enactment into legislation by the Bureau of Motor Safety, U.S. Department of Transportation, effective October 1, 1973.

In 1973/74, incidents of injury or death to drivers due to shifting cargo and/or inadequacy of the "bulkhead" became apparent and were reported through the news media. Also, this lead to recommendations by certain Coroners Juries. In April, 1974, the Ministry of Transportation and Communications advised that consideration was being given to legislation stipulating minimum requirements for cargo restraint, perhaps under authority of section 68 (1) and (2) as then existing in The Highway Traffic Act. The OTA response to the Ministry, in addition to several instances of personal discussion, was by way of a letter dated June 27, 1974. A copy of this has been included with the Appendix, rather than in this text. You will note that it embraces several additional aspects worthy of consideration to obtain the total picture.

Although it may well be that the Ministry has continued internal discussion on such legislation, we have not been advised to that effect. We are not seeking regulation for the sake of regulation. The speed and responsiveness with which the "voluntary" procedure was adopted by major shippers and carriers some 10 years ago is worth noting. In addition to need to have any legislation in this regard compatible and uniform with other provincial jurisdictions, there is a very significant aspect identified in our letter to Mr. R.H. Humphries of June 27, 1974, item number 5. It reads as follows:

"We do not quarrel with the requirement that both the driver and carrier be held subject to either Section 68 (2) or any new legislation in this regard. However, particularly in the context of commodities such as steel coils, cylinder pipe, plate steel, etc., the loading is done almost exclusively by the shipper's employees using their own equipment. The driver's ability to assure security of the load is

very much limited. Similarly, it has or may happen that a carrier has no recourse but to accept whatever method of loading is desired by the shipper. Therefore, to be truly effective and enforceable, any such new regulations should definitely include shipper responsibility along with that of the carrier and driver".

EMERGENCY ASSISTANCE TO MOTORISTS

The history of trucking in Ontario has been enriched by the public service commencing many years ago when certain carriers adopted a company policy of encouraging highway drivers to go to the assistance of motorists and passengers in the event of an accident or vehicle breakdown. Undoubtedly members of your Committee are aware of this activity. Many drivers continue to assist motorists in the event of vehicle trouble, primarily on their own initiative. Letters received from grateful motorists substantiate the goodwill aspect.

THE "SUNDAY TRUCKING" MYTH

A somewhat complex situation is represented by the matter of commercial vehicles operating in Ontario on Sundays. It is certainly cogent to investigation by your Committee, in the context of the inter-relationship between passenger cars and trucks with consequent factors of safety and accident prevention. The Appendix to this submission includes more detailed background. At this point, however, our primary objective is to identify the true facts of the situation, especially the position of our Association.

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Doing this is essential since motorist organizations continue to pursue a policy with their members, and invoke every possible means of expression to the public, based upon an absolute distortion of the facts. Both ourselves and Canadian Trucking Association have made voluntary approach to these organizations and tried at great length to persuade them to recognize reality. Their apparent failure to do so is completely beyond our comprehension. The following is a typical, official statement that was released recently by one of the provincial members of the Canadian Automobile Association:

"Our major concern is the increase in the number of permits being issued by the Canadian Transport Commission to trucking firms, allowing them to operate on Sundays, particularly in Ontario.

"Trucking operations must be restricted on certain days during peak traffic weekends on highways used by tourists, vacationers and weekend travellers. These restrictions are needed to maintain a maximum level of road safety, to minimize interference with leisure and touring, and to minimize congestion which has a detrimental effect on the efficient use of energy".

Rather than go into full detail at this point in our Submission, we shall merely put the situation in capsule form. Included with the appendix are a copy of our submission to the Hon. William G. Davis, Q.C., Premier of Ontario, dated April 18, 1974. Also, copy of a brief by Canadian Trucking Association to the Government of Ontario under date of April 30, 1974.

Very briefly, Sunday trucking is regulated by a 1907 federal statute, the Lord's Day Act, originally designed to ensure Sunday as a day of rest. Responsibility for administering the Act is shared between federal and provincial agencies. In Ontario, individual charges under the Act must be approved by the Attorney General. Most of the conflict arises from divergent interpretation of the Act by all three levels of Government; by police officers, by the trucking industry and by the public. More critically, a growing number of independent truck operators has taken advantage of this confusion to operate illegally.

As far back as 1935, the Lord's Day Act Alliance, the Attorney General and the Ontario Department of Highways (please note that the regulated trucking industry itself was not involved), developed a policy which resulted in an operator being allowed to remain on the highway until 8:00 am Sunday if the movement commenced prior to midnight Saturday. Unless otherwise exempted by the Act itself, shipment of goods could commence after 10:00 pm Sunday. It is important to note that this, and other variances permitting certain operations during the restricted hours, were not enshrined in law.

For over 35 years since the "gentlemen's agreement" was established, there had been no problem, including objection from so-called agencies representing the "best interests" of the motoring public.

It is important to note that certain types of trucking are permitted already under provisions of the Lord's Day Act itself. These include "emergency" trucking; transportation of perishables and special permits authorizing specific movements under extraordinary circumstances, obtainable for individual instances by applying to the Canadian Transport Commission.

The major concern was in the area of long-haul operations, particularly between two or more provinces. A 1967 amendment to the Lord's Day Act gave the Canadian Transport Commission authority to issue an exemption under specified conditions. It reads: "Any work that the Canadian Transport Commission, having regard to the object of this Act, and with the object of preventing undue delay, deems necessary to permit in connection with the freight traffic of any transportation undertaking". The Commission has ruled that its jurisdiction applies only to "for-hire" and does not include private trucking.

On July 28, 1969, the CTC granted this exemption for one carrier in Quebec and another in New Brunswick. The Quebec exemption could be used only if there is a vehicle break down, or the driver cannot make it to his destination on time. This does not involve any sort of a scheduled Sunday operation. The New Brunswick carrier operates from the Atlantic Provinces, through Quebec and to Central Ontario. It, too, is relatively limited in actual usage.

Ontario became the seed bed of this unfortunate situation when, in mid-1971, some 50 summons were issued for violation of the Lord's Day Act. These were primarily in the Sault Ste. Marie area and involved the transportation of food products to resort areas. It is also interesting to observe that OPP officers from one Detachment were responsible.

When this 1971 rash of charges occurred, OTA initiated discussion with the Minister of Transportation and Communications and the Attorney General to seek resolvement, particularly in that there had been no prior problem in this regard. For the next 3-4 years, there was incessant turmoil caused by appeals against CTC by the Government of Ontario, Canadian Automobile Association, etc. Throughout all of this period, OTA made very conceivable sort of effort to set a proper perspective based on the genuine nature of the situation. It was impossible to obtain any sort of rational response from not only the Premier of the Province, but the Ministries involved. Under date of April 18, 1974, at his request, a submission embracing all of the aspects was made to the Hon. William G. Davis Q.C. We have yet to receive an acknowledgement, thus continue to remain in the dark as to the Government's official position.

Very early in the onset of this tribulation, the Ontario Trucking Association gave long and conscientious consideration to its official stance. There was unanimous agreement that highway trucking operations had to recognize the rights and convenience

of the motoring public. This was particularly valid on main expressway arteries north from Metro Toronto when vacation traffic was prevalent. Most of our members who had even a minimum of such movement assessed it carefully and took steps to reschedule whenever possible. As a matter of company policy, our members much prefer to cease operations on the weekend so as to give their employees full benefit of time for relaxation and enjoyment. In fact, many union agreements place a premium on wages paid for weekend driving.

We propose that the arrangement in existence for so many years be continued. It permits commercial movement until 8:00 am Sunday if it commenced before midnight Saturday; and renewal of movement not until after 10:00 pm Sunday. Subject to special conditions already identified under the Statute, we firmly recommended that commercial vehicles should NOT be allowed to operate between 8:00 am and 10:00 pm on Sundays. This is the peak period for pleasure traffic on the highways.

It is important to point out that our recommendation applied to all types of carriage, rather than only "for-hire". We said that there should be strict enforcement and stiffer penalties for any movement violating the "understanding" as proposed in our Submission. It goes on to say: "We believe that a refinement and redefinition of Sunday trucking, as proposed in this Brief, will accommodate best interests of the Ontario Government, the travelling public and the trucking industry; will resolve current conflict and confusion, and will reduce, rather than increase, the number of trucks moving on Provincial highways during Sundays".

The specifics of our proposed "new understandings" are:

"The existing arrangement should be continued; permitting commercial movements until 8:00 am Sundays if they commence before midnight Saturday, and a renewal of movement after 10:00 pm Sundays.

"Subject to the four special conditions identified below, commercial vehicles should not be allowed to operate between 8:00 am and 10:00 pm on Sundays.

"1) Emergency Transportation

"At present, "emergency transportation" is permissible under provisions of the Lord's Day Act (Section 5):

'Except in emergency, it is not lawful for one person to require any employee engaged in any work of receiving, transmitting, or delivering telegraph or telephone messages, or in connection with transportation, to do on the Lord's Day the usual work of his ordinary calling unless such employee is allowed during the next six days of such week, twenty-four consecutive hours without labour'.

"We recognize the difficulties in defining 'an emergency' as surely as we recognize emergencies do arise. We suggest an emergency be defined within flexible guidelines that include:

- "Mechanical breakdowns that occur while a commercial vehicle is on the road during permissible hours and consequently require completion of the journey during Sunday hours;
- "The finalization of movements that are delayed by inclement weather and 'acts of god';
- "Response to urgent situations that require deliveries for maintenance of essential public services (e.g. hospitals and other public institutions);
- "Unavoidable delays that cannot be determined in advance, such as driver illness, the need to replace a driver because of urgent family matters and highway accidents;
- "The necessity of commercial movements during otherwise prohibited Sunday hours due to breakdown or dislocation of other transportation and communication systems such as rail and postal strikes.

"We suggest that the discretionary power to approve 'emergency' transportation be assigned to law enforcement agencies in Ontario as they maintain around-the-clock availability and are most suited to acknowledging justified situations.

"Furthermore, we suggest that the Ministry of Transportation and Communications, or one of its agencies, be notified of such approvals as a post facto control measure in evaluating the validity of these emergency situations.

"2) Transportation of Perishables

"The transportation of perishables is permitted on Sundays by exemption as defined in the Lord's Day Act (Section 11(m)). We suggest that these be defined as perishable foods -- meat, fruit, dairy products, vegetables, livestock, poultry and fish -- and that commercial movements to handle such shipments be included in this category.

"3) Long-Haul Operations

"Provision for long-haul operations is taken into account under a 1967 amendment to the Lord's Day Act (Section 11(x)):

'any work that the Canadian Transport Commission, having regard to the object of this Act, and with the object of preventing undue delay, deems necessary to permit in connection with the freight traffic of any transportation undertaking'.

"Recently, the Canadian Transport Commission, on the basis of this amendment, ruled to allow two trucking firms to operate long-haul services on Sunday between Winnipeg, London, Toronto and Montreal.

"We support continuation of this principle, but prefer that applications be dealt with by an appropriate agency of the Ontario Government. We propose that 'long-haul' be defined as the movement of goods that are to be picked up or delivered at points more than 400 miles from origin or destination.

"It should be noted that the CTC has ruled that its authority to consider applications under Section 11(x) is limited to for-hire carriers. The Commission has refused to entertain applications from private carriers on the basis that it does not have jurisdiction. The result is a complete state of limbo for this type of highway transportation undertaking.

"4) Special Operations

"Special permits authorizing Sunday trucking under extra-ordinary circumstances may be obtained from the Canadian Transport Commission by making a formal, written request and providing the reasons at least 24 hours in advance of the operation taking place. Unfortunately, many situations develop after 5:00 pm on Fridays and on holidays when government offices are closed. In these situations, we suggest that the same control procedure as proposed for emergency situations be applied. Police Officers will have authority to grant permission. Such approval would be filed with an appropriate government agency as soon as possible thereafter.

"We suggest that special Sunday shipments be permitted when the shipper/receiver, with the carrier, can satisfy a designated agency of the Ontario Government that such deliveries are unavoidable and essential to continued economic viability of a plant or industrial enterprise.

"This permission is vital to certain Ontario industries which operate seven days a week. They must have new supply of commodities first thing Monday

morning in order to utilize plant capacity and thus continued employment of the work force. Consequently highway transportation activity is unavoidable on Sundays.

"It should also be noted that Ontario carriers are at a considerable economic disadvantage to carriers in other provinces and the United States where Sunday trucking is permitted. For example, Ontario truckers compete with American carriers in the Chicago market -- but our Monday morning deliveries arrive several hours after U.S. competitors have completed their runs and are already on new deliveries to other markets, including those in Ontario.

"We recognize the necessity of a control system to ensure that special operations are only permitted under justifiable circumstances. Our Association is prepared to cooperate fully with the Ontario Government in development of a control procedure that will minimize abuse to the fullest extent possible".

The Canadian Trucking Association will deal with the Sunday Trucking issue as related to other provinces. It will also provide data to sustain our contention that there is still only a minor degree of trucking on Sundays - quite contrary to the tongue-in-cheek public allegation by the Canadian Automobile Association and Ontario Motor League.

Eventually, it became evident that we had reached a complete stalemate with the Government of Ontario. The mountain of verbiage as well as tremendous waste in time and money over a situation that could be resolved amicably if treated sensibly caused us to remain silent and let the chips fall where they may.

However, continued vacuum as to the status of essential trucking operations and even greater distortion of the facts primarily through the news media, caused us to produce a basic policy position under date of February 4, 1975. It was circulated broadly, including members of the Legislature and civil service. This statement said:

"The Ontario Trucking Association recognizes and shares public concern that Sunday shall be a day of rest and relaxation. The Association is opposed to the establishment of normal levels of trucking operation within the Province on Sundays.

"However, it must be recognized that, in view of the dependence of some communities and organizations on the transportation of goods by highway on Sunday, it is inevitably in the public interest to have some such movements.

"Existing legislation under the Lord's Day Act, written before the advent and growth of dependence on trucking to maintain essential and social services, does not accurately represent present public needs. It has placed the trucking industry in the position of being required to perform limited services on Sundays to meet public needs, apparently in conflict with the public interest under the social and economic conditions that pertained when this legislation was first enacted.

"We wish the Government of Ontario, in conjunction with Ontario Trucking Association, to define the level of trucking to be carried out on Sundays which it believes to be in the public interest and to pass clear legislation that will permit the foregoing and to prohibit all other trucking operations.

"This mechanism will thus permit the public need to be served and its interests protected. It will allow members of the trucking industry to provide such clearly identified services on Sundays and to do so within the framework of precise legislation".

We again draw your attention to a typical statement from motorist organizations, as recorded previously, with reference to the following specific point: "Our major concern is the increase in the number of permits being issued by the Canadian Transport Commission". Quite contrary to the foregoing statement, the following is a complete record of trucking operations which have received Sunday trucking exemption under Section 11(x) of the Lord's Day Act from 1969 to

(i)

June 4, 1976:

- a) 1969 - two general freight carriers (one of these being applicable only in the event of a vehicle breakdown);
- b) 1972 - one private carrier under special circumstances;
- c) 1973 - one horse van operator in Mississauga for highly specialized, quite infrequent movements;
- d) 1974 - two general freight carriers, one produce hauler based in Winnipeg and primarily only Western Canada, and one livestock operator in Ontario;
- e) 1975 - an Alberta-based tanker operation, a Winnipeg-based general freight carrier with limited operation, an Ontario-Manitoba based general freight carrier, an Ontario-based produce hauler operating almost 100% to the United States in international traffic, a British Columbia-Quebec based carrier hauling LTL traffic only; a Manitoba-based carrier with operations almost completely in Western Canada and one Toronto contract carrier working on behalf of Hydro and only in emergencies;

(i) All data obtained from CTC and special survey by OTA

f) 1976 - a U.S. chemical company under special need and for a limited period of time; an Ontario carrier with very restricted authority and one general freight carrier operating primarily to Quebec and the U.S. border.

To recap:	1969	-	2
	1972	-	1
	1973	-	1
	1974	-	3
	1975	-	8
	1976	-	<u>3</u>
	TOTAL		18

NOTE: Four of those granted in 1975 were for strictly Western Canada operations.

It is important to note that none of these CTC granted exemptions permit anywhere near what could be termed "wide open trucking". As said before, not only do carriers much prefer to avoid weekend operation, but the exemption limits the number of vehicles that may be utilized.

In preparation for this submission, we ascertained the actual operating characteristic of 13 out of the 18 carriers holding exemption. The minimum average number of vehicles per carrier being operated in Ontario during any period from 8:00 am to 10:00 pm Sunday is five. The maximum is 18.3 per carrier.

By taking the maximum number of miles operated per vehicle, we find that the average total for each is 607.7. The total distance from Quebec to Manitoba borders, via Highway 17, is 1,343.8 miles. So, considering the small number of vehicles, and the average total mileage (sometimes both into and return) it's less than 50% of the total span of Ontario. You are also asked to compare the maximum number of vehicles operated being 219 as compared to the Ontario commercial vehicle registration of 582,992.

One of the major carriers granted such an exemption in 1975 has an average of 12 vehicles operating during the daylight hours on Sunday; with a maximum mileage of each being between 400 and 500 miles. The complete run is from Manitoba on Highway 7 and 11 to North Bay, then on Highway 17 from North Bay to Ottawa and Highway 7 from Ottawa to Quebec. None of these vehicles is operated south of North Bay. The majority is carrying fresh meat from the West, destined for Northern Ontario, to be available to that part of Ontario on Monday morning.

Another most important consideration is that organizations and persons based in the Metropolitan Toronto area are accustomed to forming conclusions resulting from exposure to traffic on Highway 401 spanning north of Metro and Highway 400

as it carries traffic into and out of the Metro area. Expressway 401 handles an average of 200,000 vehicles per day and is among the most heavily traffic-populated, major arteries in North America.

Even if the total maximum of 219 vehicles were operating on Highway 401, across the Metro span, it would be about 1/10th of one percent of the total traffic. Coupled with this is the fact that only a very small portion of total operations under Sunday Trucking exemption ever reaches the Southern portion of Ontario. By far the majority of long-haul movement is exclusively within and across Northern Ontario. Surely you will agree that any suggestion of this permissible traffic causing unsafe operation, interference with leisure driving and creating significant congestion is completely erroneous. It's a "red herring".

We want to crystalize this very simply. On one hand, the Government of Ontario has licensed public carriers to respond to shipper requirements, in the interest of the public, and with the threat of license cancellation in the event of negligence. On the other hand, in effect, these carriers are being told that they must not comply with this directive. All that we want is a clear declaration as to what level of service the Government wishes the regulated trucking industry to provide, under clearly identified circumstances.

STANDARDS FOR TOW TRUCKS

Your Committee's Terms of Reference include "equipment standards for tow trucks". Many of our members use such services; as well as some operating their own. Basically, we find no exceptional fault with such operations, in the capacity

of fleet owners. It has been advocated that these operators be licensed under the PCV Act. While doing so may make them more accountable for their operation, as compared to a municipal licensing, we could not see justification in recommending that this be done.

USE OF DRIVER STIMULANTS

Undoubtedly your Committee has been asked to consider the use of drugs or other stimulants by drivers of commercial vehicles. The regulated trucking industry is completely dedicated to the pursuit of any offenders in its employ. Discovery is sufficient justification for immediate dismissal. We are not in a position to speak for the owners or drivers of the over 500,000 remaining commercial vehicles.

A pertinent point in this connection is the strict limitation of hours on duty, as either required by statute or individual company policy. A reasonable number of hours on duty, scheduled mileage, compulsory "coffee-breaks" and layover period following a run eliminate the need for drivers to use any sort of stimulant in order to handle his job.

We are unable to provide even an opinion as far as the bulk of Ontario commercial vehicle drivers are concerned, many of whom are under minimum control.

It is hoped that, several years hence, when the proposed Classified Driver Licensing System has been in operation, it will be possible to achieve greater direct control over the many thousands of drivers who are now almost completely free from restriction of any kind. Both now, and in the future, we again commend to you that there needs to be stronger enforcement and more strict penalties for convictions resulting from blatant disregard of The Highway Traffic Act and alcoholic beverage offenses.

DEMERIT POINT SYSTEM

We feel that the Ontario Demerit Point System has served very well. It is suggested that you recommend that traffic offenders be required to take a Defensive Driving Course or a Driver Improvement Course when they lose nine to ten points. In Ontario, these courses are provided by the Ontario Safety League, at least some Clubs of the Ontario Motor League and the Transportation Safety Association of Ontario. A copy of the complete DIP course offered by TSA is being filed with this Submission. It is suggested that officials of Traffic Courts be made personally familiar with the content and nature of this training.

SCHOOL BUS REGULATION

The OTA endorses new School Bus Regulations which became effective September 1, 1975. However, frequent stops can cause a buildup of traffic. It is recommended that school bus drivers, when operating beyond the confines of a municipality, be trained to pull off the road from time-to-time where this can be done safely, to allow the forward movement of backup traffic.

OPERATION OF MULTIPLE VEHICLE COMBINATIONS

One of the highly significant Terms of Reference for this Select Committee is "operation of multiple vehicle combinations (pup trailers)". We propose to deal with not only all articulated combinations, but "pups" in particular. As with some other aspects of both private and public commercial vehicle operation, there is a good deal of myth arising out of misrepresentation by motorist organizations. The role and policy of our Association pertaining to sizes and weights are not believed in some instances. Emotional reaction from the public is engendered by absence of all the facts and lack of objective reporting.

In its submission to you, the Ontario Motor League has again taken a position and reflected Canadian Automobile Association policy that is far from the truth. We quote:

"The trucking industry is certainly lobbying for larger vehicles and are using the economic pressures of the day as an opportunity to seek changes in Legislation to permit longer, higher and heavier vehicles.

"The Ontario motorists, in their normal driving activities, are confronted with difficult driving tasks. To add longer and heavier vehicles into the traffic system, would only compound the difficulties encountered by the motorists. We, therefore, oppose any increase in the currently allowed vehicle dimensions for trucks which are 102 inches wide, 65 feet long and 13 1/2 feet high".

The size limitations stated by OML were enacted into regulation as far back as 1968. There have been many technological advances, changes in service requirement, need to maximize load carrying efficiency to achieve economies in cost and energy consumption, and highly reputable tests to determine safety characteristics of longer combinations. At no time during the past eight years has OTA requested any change in the regulation. Despite recent adoption of increased permissible length to 70 feet in three other jurisdictions and 72 feet in another for "doubles", any change in the Ontario stipulation of 65 feet has been left to the Ministry of Transportation and Communications. This, despite the fact that Ontario carriers operating into and through these jurisdictions are penalized through having to comply with the limits set by their home province.

Some description of the nature of trailer combinations may assist to further your comprehension of this part of our submission. A "twin trailer" combination consists of two short, 24 to 28 feet semi-trailers, coupled together by a dolly pulled by a truck tractor (power unit). A conventional rig has a truck tractor and one long trailer; with the most common length of a regular rig being 60 feet overall. The twin trailer combination is usually 65 feet overall, and currently permissible in all jurisdictions. Manitoba, Saskatchewan and Alberta permit up to 70 feet for the twin trailer combination. British Columbia permits 72 feet, by permit.

There are up to 56 linear feet of cargo space with a twin trailer and 45 linear feet for the conventional combination. Since the power unit is constant in both connections, the increased capacity of the twin combination is obvious.

Following extensive "in use" tests conducted by the Department of Highways in Alberta several years ago, satisfying these officials as to the safety, road ability and manoeuvrability of such units, triple combinations with a maximum length of 98 feet are being operated by special permit between Calgary and Edmonton.

Twin trailer operation contributes appreciably to the reduction of fuel consumption and improving the environment. To transport a given tonnage of light and bulky freight in twin combinations requires substantially less fuel and

30% fewer truck trips than when that same freight is carried by conventional equipment. There is significant contribution to reducing traffic congestion by virtue of the fact that each of the shorter trailers can be separated and pulled to a delivery destination much more easily and requiring less road space.

Much of the bulk size freight of today is becoming lighter in weight but occupying the same cube. As a result, it is becoming increasingly difficult to load conventional equipment to achieve maximum weight utilization and proper axle loading. General freight averages about 12 1/2 lbs per cubic foot. At this density, a standard 40 foot semi-trailer with an average cargo capacity of 2,700 cubic feet is physically filled at a point of about 1/3 short of its maximum legal weight.

A twin rig, however, can be loaded to full legal weight. Two 27 foot twin-trailers have a capacity of 3,600 cubic feet. This is exactly 1/3 more than a 40 foot semi-trailer. It provides an optimally efficient and economic payload; to the advantage of the shipper, the trucker and the consumer.

As far as manoeuvrability and safety performance are concerned, the standard measure is "off-tracking". This is the rate by which the rear wheels of a vehicle fail to follow the front wheels in a turning situation. The greater the rate of "off-tracking", the more difficult it is to negotiate a sharp turn, such as a city street corner. An official U.S. report to the Congress shows that, in all types of turning movement, the 65 foot, 5-axle twin-trailer has less "off-tracking" than a 55 foot, 5-axle semi-trailer. For

90° turn such as a city street intersection, the 65 foot twin has a track width 5.1 feet narrower than that of a 55 foot semi-trailer. Similar results are observed when these vehicles are compared on a 270° turn with 165 foot radius. This is the movement found in many expressway "cloverleafs". On such turns, the 65 foot twin has a track width of 2.1 feet less than a 55 foot, 5-axle tractor and semi-trailer.

Dramatic improvements have been made in truck airbrake systems, particularly those used in twin-trailer combinations. Recent results of tests conducted by the Automobile Manufacturers Association and the Truck Trailer Manufacturers Association for the Western Highway Institute, as compared to previous studies, showed sharply reduced stopping distances for all truck combinations. A twin-trailer combination, for example, could stop in the same or shorter distances than could a typical tractor semi-trailer combination from the same speed tests.

Utica tests showed twin-trailer stopping distances at 50 mph to be 130 to 187 feet (variation caused by some drivers not keeping wheels locked), for an average of 158 feet, compared to 258 feet for passenger cars.

1969 tests conducted by the Virginia State Police and the Virginia Highway Department showed that twin-trailer stopping distances at 55 mph are 181 to 217.5 feet, for an average of 197.2 feet. This compared to 300 feet for passenger cars at the same speed.

1971 tests conducted for the Western Highway Institute and observed by the California Highway Patrol showed that twin-trailer stopping distances for twin-trailers were even less than in the 1969 tests.

However, stopping distance in panic stops is not the only consideration in assessing safe braking systems and vehicle performance. In fact, this may not even be the most important consideration. A U.S. Department of Commerce study discussed swerving and sliding as follows:

"Other considerations in braking also affect safety. One of these is swerving, i.e., the tendency for vehicles to move laterally in the process of braking. This tendency could contribute toward sideswipe collisions. Tests have shown that nearly one-third of all passenger cars, but only 1/10th of the trailer combinations, swerve one foot or more in coming to a stop from 20 mph. The relatively low speed was maintained, since the test drivers were selected at random from the normal traffic stream.

"Another consideration is the tendency to slide the wheels in coming to a stop. Such sliding is undesirable because it may reduce control of the vehicle. Fully 85% of all passenger cars slide one or more wheels in coming to an emergency stop from 20 mph. Only 51% of 3-axle trucks and a slightly smaller proportion of combination vehicles slide one or more wheels. About 1/3 of the passenger cars slide all wheels, compared to only 2% of 2-axle, 6 tire trucks. No 3-axle trucks or combinations of the more than 500 heavy trucks studied were observed to slide all

wheels. In both of these important areas, swerving and sliding, truck braking characteristics are superior to passenger car performance".

In addition to its annoyance factor as far as motorists are concerned, the "splash and spray" caused by combination vehicles, including twin-trailers, have some bearing on the safety factor. It should be noted that tests to obtain more effective mud flaps or other device to reduce this have been conducted in the United States for many years; still with no practical result. Also, while the truck is usually blamed, splashing caused by passenger cars (particularly the smaller vehicles), is even more conducive to injury and accident. This is especially true at the higher speed levels. A study by the Western Highway Institute says:

"The addition of another trailer to a truck combination appears to have a beneficial effect as far as 'splash and spray' are concerned. Further, the spray pattern generated by twin-trailers seemed lower and less dense to four out of five observers".

One of the greatest psychological difficulties for the average motorist, when passing a tractor-trailer combination, is the potential "vacuum" created as well as inability to gauge the correct passing distance. A formula used by the U.S. Bureau of Public Roads computes the passing distance for different speeds. It considers all applicable factors -- lengths of passed and passing vehicles, differences in vehicle speeds and pull-out and pull-in distances.

With a 10 mph speed differential (car at 60 and truck at 50 mph), it takes 15.17 seconds for the car to pass a 55 foot combination on a two lane road. If the truck being passed were 65 feet in length, the passing time would be 15.85 seconds. That is only 2/3 of a second more. Greater or smaller differences in speeds produced proportionately split second time distances. This formula yields maximum passing times in all instances. The times (and thus the time differences), may be reduced if a shorter pull-out and in is used, or if acceleration is taken into account.

A Department of Commerce Report comments:

"A length of up to 75 feet would not have a significant affect on the usual passing conditions on a two lane facility. This being the case, a length of 75 feet would obviously have little or no affect on passing traffic on a highway of four or more lanes".

Several leaders in the U.S. insurance field have gone on record in support of the use of twin-trailers. The President of Transport Indemnity Company, for example, states: "Our Safety Department unequivocally feels that doubles (twin) are safe and efficient and they pose no additional safety hazard to the motoring public. During the period that doubles (twins) have been in use in the West, the overall safety record of the fleets insured by Transport has been amply demonstrated by the fact that their insurance rates have been consistently lowered".

Unfortunately, accident involvement data for Ontario does not distinguish between "trucks", "tractor-trailers", and "twin-trailers". We have commented elsewhere on the lower accident involvement by trucks and tractors in ratio to vehicle population, as compared to passenger cars.

However, Commissioner W. Pudinski of the California Highway Patrol said, in a 1973 Report, "Doubles (twins) are under-represented in accidents when compared to their portion of all motorized vehicles on California's state maintained highway system. They are approximately 1.5% of the motor vehicles, but are involved in only 1.1% of fatal and injury accidents. It appears from the data gathered that doubles (twins) are under-represented in accidents when compared to their portion of all motorized vehicles on California's state maintained highway system. It appears from the data gathered that doubles (twins) are at least as safe as tractor semi-trailers in terms of accident frequency and are a more manoeuvrable vehicle than the tractor semi-trailers".

Col. L. Clark Hand, Superintendent of the Idaho State Police, states: "---- we wish to inform you that, as of today, and after 15 years of operation, we find they (twin-trailers) are as safe as any type of equipment in our State -- we have had no problems of congested traffic or unnecessary delay of traffic with twin-trailer combinations".

The 1968 Virginia General Assembly created a "Twin-Trailer Study Commission which undertook a number of tests in 1969, comparing operations of twin-trailers with

NOTE: The above and subsequent test reports do not specify whether the vehicles were loaded or unloaded. Data sources are as identified, plus American Trucking Association).

those of a conventional tractor semi-trailer. Portions of that report are included with the Appendix. It sustains, and even supplements the findings just noted.

There is considerable additional information that could be provided to the Committee. It is hoped that you will have specific questions directed to members of our presentation group, one of whom is especially renowned throughout North America for his expertise on this particular subject. In fact, although a Canadian, he has served as the Chairman or a member of several engineering Committees within American Trucking Association dealing with such matters as braking systems and all aspects of twin-trailer operation.

During his appearance before you on July 12, 1976, Mr. H.J. Aiken, Executive Director, Transportation Regulations Office, Ministry of Transportation and Communications, detailed the Motor Vehicle Inspection Program as applied to tractor-trailer combinations, including "pup". The record of 65% to 70% of such vehicles having defects in 1973 was reduced to less than 16% in 1975. We support the Ministry in this program and have assisted in the dissemination of information as well as encouraging maintenance and replacement procedures. The rather startling decrease over the three year period must surely, at least partially, be attributed to increased diligence by our members.

An Ontario Government report on collisions involving tractor-trailers dated February 6, 1976 covering the period September 11, 1974 to July 1, 1975, contains this statement:

"It will be noted that approximately half are "pup" unrelated, such as collisions in which the tractor, semi-tractor or truck were primarily involved and in which "pup" trailers had no direct effect on the integrity and handling performance.

"Collisions in which mechanical failure probably contributed were eight; driver oriented collisions totalled 13; apparently pup-unrelated were 22 for a total of 43".

The report concludes as follows:

"Driver oriented collisions range from impaired driving and excessive speed, to unsafe lane change manoeuvres. In several m/v collision reports the police recorded "LOSS OF CONTROL", though subsequent inquiries point to poor judgment of road and visibility conditions in relation to speed. Several fifth wheel failures causing separation of semi-trailers from their tractors were, in fact, a result of the drivers not ensuring that the trailer king pins were properly secured in the tractor fifth wheels.

"Collisions in which structural failures may have contributed included three semi-trailer portions of pup trailers separating from the convertor dolly (fifth wheel king pin broke at mushroom - very difficult to detect, by normal inspection, any signs of prior damage). Another was tow bar failure and one a spindle nut shearing off the front steering pivot of a pup tanker. Alleged tire failures included one traced to brakes applied sharply before a blow out.

"In summary, lack of severity of injuries in collisions and their infrequency in relation to probable mileage driven reflects greater care in inspection and maintenance. Other findings point to the need to improve defensive driving capability to control pup trailer units under stress of potential collisions; as well as precise classification of driver's licenses for combination vehicles, which include pup trailers".

In 1973, the OTA Engineering Council developed a recommended "Verification of Safety Inspection of Double Trailers and Associated Connecting Mechanisms". This was approved by the OTA Board of Directors and distributed broadly throughout our membership. In keeping with subsequent findings through the Vehicle Inspection Program introduced by MTC in 1973, together with in-use experience of our Members, the procedure has been refined and supplemented so as to apply to not only "pups", but all articulated vehicles. Also, it has been brought into line with updated legislation under The Highway Traffic Act.

Technical assistance by officials of MTC has been very helpful to members of the OTA Engineering Council Subcommittee responsible for this program. As requested by them we are distributing copies not only to our for-hire and private carrier membership, but to the Canadian Industrial Traffic League and Canadian Manufacturers Association for duplication and distribution to their members. We have also agreed to make copies available to other non-members, upon request. A copy is included with the Appendix.

During the interim, a high percentage of regulated carriers in Ontario have adopted uniform detection and corrective procedures, including special attention to hitches or coupling devices. Our National/Provincial Standards Council is currently working on Draft Hitch Regulations to be submitted to the Canadian Motor Vehicle Safety Standards Director for universal application in all provinces. The CTA proposal is based largely on the amended Highway Traffic Act statute in Ontario and our finalized material.

In developing data for this submission, we obtained written reports on individual carrier accident involvement experience for 1975 as applied to combination vehicles. The motor vehicle collision rate per million miles for all motor vehicles, as established by the Ministry of Transportation and Communications, was 5.2.

Based on returns from 76 fleet owners, conventional tractor-trailer equipment travelling a total of 199,914,000 miles had 870 instances of accident involvement. This produced a frequency of 4.35 per million miles. In the case of truck and full trailers, there were 20,020,000 miles, with 52 accidents and a frequency of 2.6 per million miles. Figures for tractors and double trailers (pups) showed a total 27,050,000 miles, with 35 instances of accident involvement or a ratio of 1.29 per million miles. This means that the frequency for truck and full trailer was 40.23% less than conventional tractor-trailer and, for twin-trailers, 50.38% less than truck and full trailer and 70.34% less than conventional tractor-trailer.

In summary, we contend that the use of "pup" trailers produces greater efficiencies for carriers and increased economies in the cost of transportation and conservation of energy. They represent appreciable hope for advancement in highway safety. Both Ministry findings and our own conclusions sustain this contention.

While there is no denying the fact that the news media have focused public attention on instances of tractor-trailer accidents (particularly petroleum tanker units), the reality of this situation is completely distorted. Little consideration is given to the thousands of commercial vehicles and millions of miles travelled, both efficiently and safely, year-in and year-out. Our industry's responsibility to bend effort to improving safety in operation, reliability of equipment and proper driver habits must remain a top priority with all fleet and individual vehicle owners.

Mr. Chairman, we trust that this submission has been of interest to your Committee. It is hoped that the content will prove to be of practical value in the vital investigation that you have undertaken. We are sure that not only the Legislature, but the general public as well as commercial vehicle operators will anticipate and benefit by your recommendations. The entire area of highway safety, especially its enlarging role as the use of motor vehicles increases, is one demanding not only top priority but constant vigilance to make sure that every possible avenue of improvement is utilized.

You will note that, frequently throughout our submission, reference has been made to the interface between the motoring public and drivers of commercial vehicles. Traffic harmony, especially on the controlled access highway system, is a number one target that should be pursued by every driver, regardless of type of vehicle. There is much room for creating continuing as well as greater public awareness in this regard; similarly to the fullest possible extent among commercial vehicle drivers whose responsibility may not be aligned with an established fleet owner or trade association such as OTA.

It is hoped that you do not regard any reference we have made to a single organization or government agency as being that of unreasoned criticism. Our own industry has much to improve in its practical approach to driver performance and senior level stress on the importance of the individual in reducing injuries and fatalities on the road system. We do believe most strongly that there should be some means to obtain greater realignment of effectiveness, rather than duplication, with respect to the entire spectrum of safety encouragement and education. Such applies not only within Ontario, but inter-provincially as well as federally.

We would be completely remiss not to extend particular commendation and appreciation to MTC officials for developing and introducing the very thorough mechanical fitness inspection program at weigh scales. Although there were the inevitable "bugs" to be ironed out at inception, vehicle owners have derived practical benefit through having copies of the inspection report on their vehicles.

It is especially noteworthy in that this effort has been able to reach the many thousands of commercial vehicles that may not be under any systematic Inspection and Maintenance Procedure. The Ministry has been reasonably flexible in certain modifications related to minor, non-safety oriented check points; thus demonstrating desire to adapt based on realism.

To the best of our ability, response has been made to all of your Committee's Terms of Reference, where even partially relevant. We have gone beyond these, to some extent, in an effort to be of maximum input value. Senior representatives of the Association and OTA staff are prepared to discuss any matter with you in greater detail. Also, should you see fit to issue a confidential, interim draft of your recommendations, we shall be pleased to provide practical observation as related to the speciality of commercial vehicle operations.

All of which is respectfully submitted, this 14th day of September, 1976.

ONTARIO TRUCKING ASSOCIATION



R.M. Haggarty, President



V.L. Lobraico, Chairman
"OTA Subcommittee re Select Committee
on Highway Safety"

SUMMARY AND RECOMMENDATIONS

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1. (Page 6) The percentage of accident involvement on the part of commercial vehicles, in ratio to automobile population and involvement, is consistently lower than in the case of passenger cars. Although there has been certain effort in recent years on the part of both federal and provincial agencies to develop comprehensive and reliable accident data, there needs to be much greater emphasis and facilities on an inter-agency, inter-provincial and provincial-federal basis. All of this should go beyond the mere identification of numbers and be identified in terms of type, apparent cause and a translation of experience into guidelines for the approach to development of safety education.
2. (Page 7) There needs to be greater emphasis on assessing the psychological elements and causative factors in highway driving and accidents. Both governmental, quasi-government, independent safety organizations and related agencies should be embraced by some type of coordinating influence so as to direct activity on a more uniform basis. The total subject of highway safety is of such importance as to transcend traditional boundaries of organization individualism. Maximum education effort among younger people is particularly important since these are the drivers of tomorrow and there is less possibility of ingrained inferior driving habits.

Business generally is burdened by too many requests for data, many of which are duplicated between the provinces and Federal Government. Priority should be given to such activity as related to accident prevention and safety.

3. (Page 8) The provision of educational materials and funding by insurance companies is related primarily to passenger cars. It is proposed that the Select Committee recommend a concerted philosophy or even direct approach by government to obtain voluntary remedy on the part of insurance companies. It cannot be done by an individual company, nor even association such as OTA, because only a small proportion of the commercial vehicle population is represented.
4. (Page 9) The availability of information on a commercial driver's experience and current record should be made known to employers. The only avenue at present is a periodic check of the employee's driver's license. This usually does not reflect his total driving record.
5. (Page 10) Since OTA represents primarily vehicle owners who operate only 10.8% of all truck and tractor registrations in Ontario, observations and recommendations have to be viewed with this in mind. However, OTA is the only major, organized voice of all categories of commercial vehicle operation in this province. One of the predominant difficulties that should be considered by the Select Committee is the almost total absence of means to reach the commercial vehicle driver population as a whole.

6. (Page 11) The Association has made considerable effort to identify specific areas of driver responsibility, and means for correction of misbehaviour. Aside from rather limited material developed by the Transportation Safety Association of Ontario, there is no major effort, either Provincially or Federally, to develop and encourage the use of preventative materials on an organized basis, applicable to commercial vehicles.

It is recommended that the Select Committee consider advocating an investigation of the previous program operated by the Ministry of Transportation and Communications, and existing function of the Public Information and Safety Branch

7. (Page 14) For many years, OTA has urged both the Provincial and Federal Governments to enact suitable regulations pertaining to the transportation of dangerous commodities by highway. Permissive legislation has existed in Ontario since 1958. A concerted effort has been made at the Federal level on the part of both the Provincial and National Trucking Associations. Legislation patterned after that existing in the United States for many years would be quite suitable to Canada, with only minor modification. The OTA has worked consistently with various shipper groups and has achieved a united front applicable to not only specialized equipment such as tanker units, but the general freight field as well.

An important recommendation by the Select Committee would be immediate investigation and implementing action at both the Provincial and Federal levels.

8. (Page 15) A 1974 study disclosed that a very high percentage of the adult driver population owns and/or operated a trailer, camper or motor home. These often over-sized recreational vehicles impede orderly traffic flow, particularly on single lane portions of the highway system. They represent a serious threat to the safety of their own occupants, other drivers and the public.

A "vacationers assistance program" has been initiated in conjunction with various organizations. This will attempt to provide suitable training for the drivers of recreational vehicles. From an engineering viewpoint, it is obvious that many of these vehicles do not have proper hitch provision. We recommend that hitch or coupling devices used in this application be brought under regulation similar to that now applied to commercial vehicles. Drivers of such combination vehicles should have special training, to a certain degree similar to that given to drivers in our industry.

It is recommended that means to identify such drivers be put into use. There needs to be some form of reasonable testing and certification procedure before a motorist is permitted to take charge of such equipment. This may be possible under the proposed "Classified Driver Licensing System". It now contemplates licensing such drivers in the same category as automobiles, small trucks or combinations up to 18,000 pounds, provided the towed vehicle is not over 10,000 pounds. There is no indication that the actual driving capability will be other than the standard for all motorists.

9. (Page 18) Rapid increases in vehicle population and miles travelled will make it increasingly essential to achieve a proper mix between all vehicles and road performance. Some of this can be achieved by legislation. The real value of such regulation rests primarily in stringent enforcement, without fear or favour, and continuing strong methods to "educate" all drivers as to their responsibility under every circumstance.

The Ministry of Transportation and Communications has stated that, in accepting a license, a driver must be prepared to accept full responsibility for his or her total driving behaviour. He or she must not only be able to drive safely, regardless of the kind of vehicle driven, but must also want to perform in a responsible way. The Minister contends, and OTA so recommends to the Select Committee, that greater power be exercised for the suspension or even removal of a license in the event of obvious disregard on the part of both passenger car and commercial vehicle drivers.

For-hire members of the regulated trucking industry, as well as responsible private carriers, have built-in policies and procedures to assess applicants for driver positions and maintain a continuing observation of their driving performance. However, a very high percentage of commercial vehicle drivers does not come under the even limited control of such a restraining procedure. The only body even provisionally capable of making such close identification is the Ministry of Transportation and Communications.

10. (Page 22) The first industry sponsored, continuing commercial vehicle driver training facility in Canada was established in 1965, through auspices of the Ontario Trucking Association (then The Automotive Transport Association of Ontario). While some carriers have driver training and safety departments within their own operations, it is not feasible for them to have more than a final screening of applicants and subsequent driver control procedures.

The need for an increasing number of capable drivers, particularly with growing sophistication of equipment, will undoubtedly increase appreciably during the years to come. Advent of the "Classified Driver Licensing System" should also cause pronounced increase in the need for responsible training facilities operated either by government or the private sector.

A sound base for this initiation has been laid through established course criteria and licensing under the Private Vocational Schools Act. The Select Committee is urged to identify the continuing importance of not only establishing but adopting at least minimum control over such facilities.

11. (Page 30) The role of the Transportation Safety Association of Ontario, under the Workmen's Compensation Board of Ontario is extremely significant to the regulated trucking industry. A 1973 "Task Force" investigation of all administrative activities within WCB resulted in some very definite and commendable recommendations. There is no evidence of implementation to any practical extent.

The Select Committee is urged to recommend exploration of the status of these improvements, as recommended by the government's own assessment.

The driving function of a commercial vehicle driver in the employ of a private carrier is no different than in the case of a public carrier. Yet, there is no totally driver-oriented safety educational structure to reach this much larger proportion of the truck driver population.

It is strongly recommended that the possibility of either extending present functions of TSA to encompass drivers in other Rate Classes, or this element be introduced more strongly to the function of counterpart Associations within the WCB structure be examined.

A Joint Consultative Committee was established by WCB in 1975. Although the OTA officially requested appointment of a commercial vehicle oriented person to that Committee, such has not been done. The absence of this expertise both from an advisory viewpoint and within the present administrative structure of WCB is of serious concern.

12. (Page 41) The OTA "Cooperative Road Safety Patrol", in operation since 1956, has provided fleet owners with confidential information on actual driving performance. Major violations are in the area of excessive speed. Despite conscientious, voluntary involvement by members of this Road Patrol, it is possible to only scratch the surface in relation to all truck drivers. However, even that is highly significant since every means to obtain practical improvement in highway safety need to be tackled and encouraged.

13. (Page 42) There is increasing need for uniform regulation across Canada in such areas as speed, sizes and weights, highway traffic acts or equivalent regulation, the posting of signs and regulation on transportation of dangerous commodities.

It is proposed that the Select Committee give thought to recommending some means of closer interchange between the Provinces in all legislative and other types of activity relative to highway safety and accident prevention. While the Canadian Conference of Motor Transport Authorities is a commendable arrangement, inherent difficulties often make the implementation of decisions more prolonged than should be the case when applicable to highway safety.

14. (Page 44) The Ontario Trucking Association has maintained a consistent policy of encouraging adherence to posted speed limits. Most responsible carrier operations permit their drivers to observe such maximum standards and still perform their runs as scheduled. The mere posting of a speed limit does not have real meaning unless enforced consistently, against the drivers of all vehicles.

The OTA has also endorsed the reduction in posted speed limits that became effective February 2, 1976. It is aggrieved to note a recent statement by the Minister of Transportation and Communications to the effect that "there has been no significant difference in operating speeds".

The enactment of mandatory seatbelt legislation effective January 1, 1976 was supported by OTA, including compulsory use by certain commercial vehicle drivers. Although there was some degree of initial resistance, this provision appears to have been accepted in most instances.

15. (Page 50) There needs to be a thorough study on the use of "four-way" flashers, to specify when they should and should not be used. Also, most importantly, the precise meaning of such use, accompanied by strong education directed to all drivers need attention.

An experimental program initiated in May, 1975, should be expanded.

16. (Page 53) The frequency of fatalities and injuries related to both passenger car and commercial vehicle drivers as a result of excessive speed on ramps demands more thorough assessment and action than given to date. There is considerable data leaving no doubt but that this is a matter of extreme urgency.
17. (Page 61) Adoption of an "International Registration Plan" and "Certificate of Title System" is endorsed. It is advocated that there should be first attention to establishing a domestic system, embracing all Canadian jurisdictions. Following that, more practical assessment could be made on merging the Canadian and American systems.

It is suggested that this subject remain a matter of concern to the Select Committee. But, any specific recommendations should be conditional upon

results of the Roads and Transportation Association of Canada Reciprocity Study are available.

18. (Page 66) Consideration is being given to possible regulation regarding underride protection on commercial vehicles having platforms and bodies extending beyond their rear axles to the extent that they may present a hazard to smaller automobiles, in rear end collisions.

Some van trailers are now equipped, although the real efficacy of the guard under a severe impact is somewhat doubtful. Generally speaking, the great diversity of truck and trailer bodies in use would make it somewhat difficult to establish a workable set of minimum bumper criteria under all circumstances. In addition, the technical problems of retrofitting older vehicles suggests that any regulation should apply to new vehicles only.

19. (Page 68) The Association originally advocated, and has maintained a close interest in, the proposed "Classified Driver Licensing System". The continuing delay in implementing such a procedure requires investigation by the Select Committee, coupled with strong recommendation that any difficulties, including financial, should be surmounted immediately.

It is strongly urged, again, that the new licensing system distinguish driver capability in operating double hook-up combinations as compared to conventional tractor trailers. Any provision allowing drivers under 21 at the time the system is introduced to qualify for a Class "A" license

should be contingent upon proven experience in driving the class of vehicle for which he or she is applying.

20. (Page 76) In 1966, a "Guide to Safety, In Load Security for Safe and Efficient Operation" was finalized. It provides minimum guidelines for the proper securing of steel coils, girders, wrought iron pipe, etc. The recommendations have been adopted almost universally by responsible shippers and carriers, not only in Ontario but elsewhere in Canada and the United States.

It is essential that shipper responsibility be included in any regulation, as well as that of the carrier and driver, since shippers may be inclined to demand a type of loading that does not conform to the regulations.

21. (Page 80) The rendering of simple medical assistance to persons at the time of highway accidents is a matter of personal decision of the truck driver and his ability. Considerable improvement in means of communication between a highway location and emergency services has reduced the need for such assistance. Vehicle problems do attract help. The speed of heavy traffic often makes this impractical.

22. (Page 81) The importance of Sunday Trucking in the area of highway safety and motorist convenience has been exaggerated. Since it does relate to the experience of motorists, and is not understood, a factual and positive statement of the situation has been provided in the submission. Basically, its

only a very small segment of the regulated trucking industry that wishes to have permission under the Lord's Day Act to operate when there is a genuine emergency; or identifiable need for a certain shipment to be available at destination for commencement of business on Monday morning.

Since a legislative amendment in 1967, the Canadian Transport Commission has issued only 18 exemptions. The maximum number of vehicles in operation between 8:00 am and 10:00 pm Sunday under this exemption anywhere in Ontario, would be 219. A high percentage of these operates only into and through the Northern region.

The Ontario Trucking Association has been completely unable to obtain rational discourse with government in this regard. An April 18, 1974, submission to the Premier of Ontario, stating exactly what the industry wanted the government to establish in the public interest has not been acknowledged. This state of limbo has existed since 1971. Prior to that, a satisfactory arrangement established by the Lord's Day Alliance and the Ontario Department of Highways in 1935 has enabled such responsible operations to continue, with absolutely no serious effect on the public or other disturbance of any kind.

The OTA has proposed that the arrangement in existence for so many years be continued. It permits commercial movement until 8:00 am Sunday if it commenced before midnight Saturday; and renewal of movement not until after 10:00 pm Sunday. Subject to special conditions identified under the

Statute, the OTA recommended that commercial vehicles should NOT be allowed to operate between 8:00 am and 10:00 pm on Sunday, except under genuine requirement as determined by the government to be in the public interest

23. (Page 92) The OTA finds no exceptional fault with present tow truck operations. While the proposal to license them under the PCV Act has been made, the OTA response was that it could see no justification in doing so at least at the present time. It would however, make them more accountable for their operation, as compared to municipal control.
24. (Page 93) The regulated trucking industry is completely dedicated to the pursuit of any offender who uses drugs or other stimulants while driving a commercial vehicle. Limitation of hours on duty, scheduled mileage, compulsory "coffee-breaks" and layover period following a run eliminate the need for drivers to use any sort of stimulant in order to handle his job.

It is definitely advocated that there needs to be stronger enforcement and more strict penalties for convictions resulting from blatant disregard of The Highway Traffic Act and alcholic beverage offences.
25. (Page 94) The present Ontario Demerit Point System has served very well. It is suggested that traffic offenders be required to take a Defensive Driving Course or a Driver Improvement Course when losing 9 to 10 points. It is also suggested that officials of traffic courts be made personally

familiar with the content and nature of this training.

26. (Page 94) The Association endorses new school bus regulations which became effective September 1, 1975. However, frequent stops can cause build up of traffic.

It is recommended that school bus drivers, when operating beyond the confines of a municipality, be required to pull off the road from time to time where this can be done safely to allow the forward movement of back up traffic.

27. (Page 95) There is every evidence that the operation of "pup" trailers is appreciably safer than other combination vehicles. They provide significant economies in the cost of transportation as well as energy conservation. MCT findings, evidence from numerous U.S. sources and OTA's own study sustain this.

Despite contention that the regulated industry is seeking increased sizes and weights, the allegation is completely false. The present limitations have been in effect since 1968. Although four Western Provinces now permit the length of "doubles" to be in excess of that in Ontario, thus representing a significant restriction on Ontario based carriers, any such decision is being left to the judgment of the Ministry.

The many technological advances, changes in service requirement, need to maximize load carrying efficiency and highly reputable tests to determine safety characteristics of combination vehicles should be judged impartially by the Select Committee.

28. (Page 108) Since observance of proper driving behaviour needs to be impressed upon the drivers of all vehicles, the only existing authority with such capacity is with the Ministry of Transportation and Communications.

The job of highway safety education is so complex and broad that each element has to be tackled on a progressive basis. No matter how impressive a wide range program may seem to be, its real merit should be determined only by the possibility of genuine result. This demands completely objective evaluation. Our submission has been as objective as possible and intended only to contribute an honest appraisal.

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